

# **Performance Partnership Agreement for Federal Fiscal Years 2003 - 2004**

**Between the New Hampshire Department  
of Environmental Services**

**and the U.S. Environmental Protection Agency  
New England**

**March 2003**



# **Performance Partnership Agreement for Federal Fiscal Years 2003 - 2004**

State of New Hampshire  
Department of Environmental Services  
6 Hazen Drive  
Concord, NH 03301

## **Prepared By:**

The New Hampshire Department of Environmental Services  
and the U.S. Environmental Protection Agency New England

**Governor Craig R. Benson**

## **Executive Council**

Raymond S. Burton, District 1  
Peter J. Spaulding, District 2  
Ruth L. Griffin, District 3  
Raymond J. Wieczorek, District 4  
David K. Wheeler, District 5

## **DES Senior Leadership Team**

Robert Monaco  
Acting Commissioner

Philip J. O'Brien  
Waste Management Division Director

Harry T. Stewart  
Water Division Director

Robert R. Scott  
Chief Air Programs Director



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## **ACKNOWLEDGMENTS**

The goal of the National Environmental Performance Partnership System is to provide strong public health and environmental protection with the states and the U.S. Environmental Protection Agency working together for continuous gains in environmental quality and productivity. This document was prepared by the Department's Performance Partnership Agreement and Senior Leadership Teams, as well as many other staff, in coordination with EPA New England. Their dedication to the substantial task of developing goals, objectives, and performance and environmental measures for New Hampshire, as well as to the negotiation process involved in reaching this agreement, is gratefully acknowledged.

### **New Hampshire DES's Senior Leadership Team**

Robert Monaco, Acting Commissioner  
Philip J. O'Brien, Waste Management Division Director  
Harry T. Stewart, Water Division Director  
Robert R. Scott, Chief Air Programs Director

### **New Hampshire DES's Performance Partnership Agreement Team**

Kathleen Brockett	Fred McGarry
Barbara Fales	Vincent Perelli
Paul Lockwood	Wendy Waskin
Kenneth Marschner	

### **U.S. EPA New England's Performance Partnership Team**

Robert W. Varney, Regional Administrator  
Ira Leighton, Deputy Regional Administrator  
Richard Cavagnero, Acting Director - Office of Site Remediation and Restoration  
Don Porteous, Acting Director - Office of Environmental Measurement and Evaluation  
Linda Murphy, Director - Office of Ecosystem Protection  
Stephen Perkins, Director – Office of Environmental Stewardship  
Carl Deloi, Director – New Hampshire Office of Ecosystem Protection  
Trish Garrigan, Watershed Coordinator - Team New Hampshire

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## **ADDITIONAL COPIES AND COMMENTS**

Additional copies of this document may be obtained by contacting the New Hampshire Department of Environmental Services - Office of the Commissioner at (603) 271-8989 or the Public Information and Permitting Office at (603) 271-2975. An electronic version of this document can be viewed or downloaded from the Department's web site at <http://www.des.state.nh.us/ppa>.

Comments on any aspect of this document are welcome. They may be submitted to:

Vincent Perelli, Senior Planner  
State of New Hampshire  
Department of Environmental Services - Office of the Commissioner  
6 Hazen Drive  
Concord, NH 03301  
Phone: (603) 271-8989  
Fax: (603) 271-2867  
E-mail: [vperelli@des.state.nh.us](mailto:vperelli@des.state.nh.us)  
[www.des.state.nh.us](http://www.des.state.nh.us)

or

Carl DeLoi, Director – New Hampshire Office of Ecosystem Protection  
United States Environmental Protection Agency New England  
One Congress Street, Suite 1100 (CNH)  
Boston, MA 02114-2023  
Phone: (617) 918-1581  
Fax: (617) 918-1505  
E-mail: [deloi.carl@epa.gov](mailto:deloi.carl@epa.gov)  
[www.epa.gov/region1](http://www.epa.gov/region1)

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**Performance Partnership Agreement  
for Federal Fiscal Years 2003 - 2004**

***Section I***

***DES and EPA New England --  
Strategic Planning Efforts***

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# **I. DES and EPA New England – Strategic Planning Efforts**

## **A. DES Strategic Performance Partnership Planning Framework**

The previous Performance Partnership Agreement (for federal fiscal year 2002) was prepared to reflect a single year; this was a change from the more conventional two-year agreement. This change allowed the Department the time it needed to effectively facilitate, and create better alignment between:

1. A new five-year DES Strategic Plan, *DES Strategic Goals and Objectives (2003-2007)*, the last one of which was completed in the Spring of 1998;
2. The complete roll-out of a new Measures Tracking and Reporting System database and associated quarterly reporting management system;
3. The biennial state budget (for state fiscal years 2004 and 2005); and
4. The next two-year Performance Partnership Agreement (i.e., this one).

In January 2002, the DES Senior Leadership Team (comprised of the Acting Commissioner/Assistant Commissioner, the Directors of the Water and Waste Management Divisions, and the Chief Air Programs Director), with support from the Senior Planner, began work on the department's first strategic plan since early 1998. The first tasks involved evaluating and updating the DES Mission Statement, Guiding Principles, and DES Goal structure, and discussing and laying out a strategic action plan. Once these critical upfront tasks had been accomplished, eleven DES Goal Teams were created, trained, and charged with developing sub-goals and objectives which would present what the Department should strive towards over the next five years (calendar years 2003 through 2007) to achieve DES's broader goals and its essential mission of sustaining a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire.

During the 2002 strategic planning exercise, heavy emphasis was placed on the development of measurable objectives through the inclusion, where feasible, of specific targets, timeframes, and staff accountability. Through a very deliberate effort, the resulting strategic planning document, which includes eleven DES goals, forty-five sub-goals, and approximately 250 objectives, represents the department's most successful effort to date to develop, and ultimately measure progress against, a set of strategic objectives which, in total, will help guide the key efforts of DES's many programs over the next five years.

While the goals, sub-goals, and objectives contained in the 2003-2007 DES Strategic Plan are the most comprehensive and measurable developed thus far at DES, history has proven that even the most skillfully crafted strategic plan will be destined to fail if it is not frequently referenced by management and staff and if it is not fully connected and relevant to the many programs, staff, and essential day-to-day tasks necessary to accomplish the strategic goals and objectives.

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DES has overcome this potentially major organizational planning hurdle through the development of an innovative, custom-designed Oracle Measures Tracking and Reporting System (MTRS) database which allows the strategic goals and objectives to be directly linked (within a powerful relational database environment) to the many deliverables (i.e., specific, quantifiable tasks) necessary to accomplish the objectives, and ultimately the sub-goals and goals. DES finds itself in the enviable and unique position (certainly within New England, and perhaps at the national level) of having a solid, measurable strategic plan which is directly connected to its comprehensive work plan, as well as to the many output, outcome and environmental indicator measures. (Refer to Section III, Program Priority N. "Results-based Environmental Management" for more detailed information on the MTRS).

In addition to the MTRS database, DES has been hard at work developing a management system necessary to effectively administer, interpret, and act upon the substantial amount of program and environmental data that the MTRS generates. This ever-evolving management system has, at its core, three essential yet simple components:

- 1) The performance measures (i.e., outputs and outcomes) and environmental indicators must relate to, and be physically linked with the agency's strategic objectives, as well as DES's comprehensive workplan;
- 2) Staff and managers must use the Oracle-based MTRS as the basis for regular (quarterly and otherwise), two-way conversations focused on what is working, what is not working, and any necessary program adjustments; and
- 3) There is a specific staff member identified as the accountable person for each strategic objective, activity/deliverable, and measure.

Through significant staff effort, a detailed set of strategic goals and objectives was created by mid-year, at which time, the DES Senior Leadership Team once again became engaged in the planning process. Concurrently, EPA New England was also informally presented with a draft document for their initial feedback. Despite its draft status, *DES Strategic Goals and Objectives (2003-2007)* was made available to all appropriate DES staff to help influence and guide decisions associated with the preparation of the 2004-2005 state budget. Likewise, *DES Strategic Goals and Objectives (2003-2007)* was also offered to key DES staff around this same time to help direct resource allocation and work load planning for the 2003-2004 Performance Partnership Agreement.

The Senior Leadership Team, in conjunction with the Goal Teams, spent a substantial amount of time during the summer and early fall 2002 reviewing, commenting on, and improving the consistency and quality of the draft Strategic Plan, as well as concurrently continuing to prepare the *DES Comprehensive Action and Assessment Workplan (FFY 2003)* for the first half of the federal fiscal years 2003-2004 Agreement.

After the production of a second substantive draft, all DES staff (and select EPA New England staff) were invited to provide additional comments and suggestions on the document by early December 2002, with the majority of edits incorporated by early January 2003. During this same timeframe, final changes to the MTRS database were completed, allowing the goals, sub-goals, and objectives developed through the strategic planning effort to be entered into the database.

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What remains at this time is a key short-term objective of having DES staff physically link their day-to-day work (i.e., the many activities and deliverables in the MTRS database which cumulatively make up the *DES Comprehensive Action and Assessment Work Plan (FFY 2003)* – presented in Section VI of this Agreement) to these goals, sub-goals, and objectives. Once the envisioned linkage takes place in January/February 2003, DES will, for the first time ever in its organizational history, have the ability to determine if essential work is being done, and by whom, in order to accomplish a particular objective, sub-goal, and/or goal, and ultimately to achieve environmental results.

It is important to note that the design of the MTRS database (and the guidance which will be provided to staff prior to the linking step) will ensure that deliverables are first and foremost linked to one or more specific objectives. Deliverables will be linked at the next highest strategic planning level (the sub-goals) only if a link cannot be established with at least one specific strategic objective. This procedural rule will allow the high level of specificity required if progress is to be measured against the set of aggressive objectives DES has set out for itself over the next five years. In addition to the already institutionalized quarterly reporting requirement (the outputs related to detailed deliverables), an annual reporting process is presently being developed to facilitate regular and value-added reporting to ascertain specific progress on the DES strategic goals and objectives.

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# **New Hampshire Department of Environmental Services**

## **B. DES MISSION STATEMENT**

*The mission of the Department of Environmental Services is to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire.*

## **C. DES GUIDING PRINCIPLES**

The Department of Environmental Services will carry out its mission in partnership with the public, businesses, government, environmental community, and many other organizations by:

- Promoting mutual respect and effective, straightforward communications, within and outside of the agency.
- Providing timely and consistent responses to all customers.
- Encouraging meaningful opportunities for public participation in meeting its responsibilities.
- Integrating environmental quality, public health and safety, and economic vitality, and considering the concerns and aspirations of all citizens, while pursuing its responsibilities under the law.
- Striving for high levels of effectiveness in all operations based on a commitment to continuous improvement and openness to innovative approaches.
- Facilitating scientifically and technically sound, cost effective, and environmentally appropriate solutions.
- Leading the state government's environmental and sustainability initiatives.
- Considering the long-term, cumulative, and cross-media effects of its policies, programs, and decisions.
- Fostering environmental awareness and stewardship through education, outreach, and assistance.
- Affording fair and equitable treatment of all New Hampshire citizens in the implementation of federal and state environmental laws, rules, programs, and policies, and in the management of the agency.
- Maintaining a work environment that attracts and retains the most dedicated and talented staff.
- Minimizing environmental and human health risks to the greatest extent possible, especially for our most vulnerable populations.

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## D. DES STRATEGIC GOALS AND SUB-GOALS

**Note:**     ***Refer to Section V for the complete version of “DES Strategic Goals and Objectives (2003 – 2007)”***

**1.    *Clean Air*** - *The air we breathe in New Hampshire is safe and healthy for all citizens, including those most vulnerable, and our ecosystems are free from the adverse impacts of air pollution.*

- 1.1    Reduce emissions of criteria pollutants and achieve or maintain mandated air quality standards for the protection of public health and the environment.
- 1.2    Reduce energy use to minimize emissions of greenhouse gases and to help prevent adverse changes to the global environment.
- 1.3    Reduce emissions of hazardous and toxic air pollutants, including persistent bioaccumulative toxics (PBTs) such as mercury and dioxin, in order to ensure the protection of public health and environmental quality.
- 1.4    Maintain and improve data collection and analysis capacity, including monitoring, forecasting, and emissions inventories.
- 1.5    Develop, implement, and manage programs and strategies that; 1) are based on the most recent scientific/health information on air pollution; 2) include broad geographic efforts and influences, 3) are built on market-based economic incentives, and 4) meet federal requirements.
- 1.6    Provide compliance assistance to businesses in New Hampshire to ensure that compliance monitoring and enforcement activities are consistent, appropriate, and timely.
- 1.7    Increase public awareness of air quality and promote a sense of shared responsibility among New Hampshire businesses, industries, and citizens for addressing air quality issues.

**2.    *Clean Water*** - *All of New Hampshire's lakes and ponds, rivers and streams, coastal waters, groundwater, and wetlands are clean and support healthy ecosystems, provide habitats for a diversity of plant and animal life, and support appropriate uses.*

- 2.1    Maintain and improve the quality of New Hampshire's surface waters in order to fully support appropriate ecosystem and anthropogenic uses.
- 2.2    Ensure and improve compliance of municipal and industrial point source discharges with the State's Surface Water Quality Rules and Federal National Pollutant Discharge Elimination System (NPDES) Permits in a cost- effective manner.
- 2.3    Implement a watershed management approach to restore and protect water quality and uses at the watershed level.
- 2.4    Run a safe and efficient operation (and in accordance with state and federal requirements) at the Winnepesaukee River Basin Project (WRBP), a sewage and waste treatment facility owned and operated by DES, serving municipalities within the Winnepesaukee River Basin.



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**3. Safe Drinking Water** - *All drinking water in New Hampshire will always be safe, available and conservatively used.*

- 3.1 Ensure that Public Water Systems (PWSs) provide safe drinking water in accordance with the Safe Drinking Water Act.
- 3.2 Ensure that an adequate quantity of drinking water is available and is conservatively used.
- 3.3 Provide increased assurance that drinking water from residential wells is safe to drink.

**4. Effective Waste Management & Site Remediation** - *Promote responsible waste management and ensure wastes/regulated materials are properly handled and disposed. Conduct prompt remediation to restore contaminated sites to productive use while protecting the environment and public health.*

- 4.1 Minimize waste volumes and toxicity through programs, policies and rules which extend waste management capacity and minimize exposure to persistent, bioaccumulative and toxic (PBT) chemicals.
- 4.2 Effectively manage Superfund, non-Superfund, and Brownfield contaminated site discovery, evaluation, and response processes in order to protect public health and the environment.
- 4.3 Develop and Implement a Natural Resources Damages Policy.
- 4.4 Maintain a high level of preparedness and conduct effective emergency response to petroleum and hazardous material/waste releases to the environment.
- 4.5 Maintain a high level of compliance assurance to minimize the likelihood of contaminant releases and to protect public health and the quality of New Hampshire's environment.

**5. Protection of Lands and Habitat** - *The sustainable development of New Hampshire's lands and natural resources is promoted throughout the state while protecting the diverse wildlife habitat, and unique features that make New Hampshire an attractive place to live, work, and visit.*

- 5.1 Manage programs engaged in land-use regulation in a manner that enables and encourages appropriate development, supports a healthy economy, and ensures that long-term cumulative environmental impacts are better understood and addressed.
- 5.2 Encourage the application of "Smart Growth" practices, including minimum impact development practices, through regulatory and education and outreach efforts, to guide New Hampshire's growth in environmentally-friendly directions.
- 5.3 Protect and restore terrestrial and aquatic habitat and biodiversity throughout the state, and minimize the adverse impacts of human activities on biological resources.
- 5.4 Facilitate the restoration of rivers through selective dam removal, and by establishing a base of knowledge within DES regarding river restoration, riverine systems, and the physical, chemical and biological effects of dams and dam removal.

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**6. Safe Dams and Water Management** - *The state's surface and groundwater resources are managed and regulated for the protection, enhancement and restoration of environmental quality and public safety to support and balance social and ecological water needs.*

- 6.1 Ensure that all dams in New Hampshire are constructed, maintained and operated in a safe and environmentally protective manner.
- 6.2 Improve the department's ability and statutory authority to manage and protect public and private water rights to better balance multiple economic, environmental and societal values.

**7. Effective Management and Leadership** - *DES sets and achieves the highest standards for effective internal management, fiscal responsibility and leadership on environmental issues.*

- 7.1 Promote effective management, effective internal communication, and continuous improvement.
- 7.2 Keep DES as an employer of choice.
- 7.3 DES practices effective, proactive, and innovative leadership approaches.
- 7.4 Improve measurement of environmental conditions and trends and of program performance.

**8. Pollution Prevention (P2) and Sustainability** - *Encourage best efforts to prevent pollution before turning to recycling, treatment and/or disposal of the materials causing pollution. Eliminate or reduce the toxicity and absolute volumes of waste materials. Eliminate accidental pollutant releases to the environment. Conserve materials, energy and water in order to move toward a sustainable society.*

- 8.1 Integrate P2 concepts into all aspects of regulatory programs, including permitting, technical assistance, inspections and the enforcement process, in order to maximize environmental benefits and reduce permitting and regulatory requirements where possible.
- 8.2 Identify and pursue actions such as toxics use reduction, solid waste reduction, solid and hazardous waste recycling, environmentally-preferable purchasing, and energy and water conservation) that minimize DES's environmental impact.
- 8.3 In partnership with other assistance providers (internal and external) and stakeholders, promote the benefits of P2 and Environmental Management Systems (EMSs), including going beyond compliance and moving toward sustainability.
- 8.4 Promote a safe and healthy environment for New Hampshire's most at-risk and sensitive populations (i.e., children, the elderly, and those with special health concerns).

**9. Public Education, Outreach and Partnerships** - *DES provides effective public education, outreach, and partnership activities.*

- 9.1 Create and disseminate DES informational and educational outreach materials to stakeholders, the business community, and the general public.

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- 9.2 Convey DES's mission, goals, programs, projects, events, accomplishments and environmental messages to the public via various media, including newspapers, radio, television, and the internet.
  - 9.3 Promote environmental education in New Hampshire.
  - 9.4 Foster DES's partnerships with NH municipalities, state agencies, the legislature, business and industry, environmental organizations, public health organizations, and other stakeholder groups.

**10. Compliance Assurance** - *In order to foster full compliance with the laws it administers, DES provides education and outreach to the public, provides assistance to the regulated community, monitors compliance on an on-going basis, and maintains a fair and effective enforcement process.*

- 10.1 Integrate pollution prevention/"beyond compliance," permitting, and compliance assurance.
- 10.2 Write all requirements clearly and interpret them consistently.
- 10.3 Ensure that compliance monitoring and enforcement activities are consistent, appropriate, and timely.

**11. Information Management** - *Information is collected, managed, analyzed and disseminated effectively and efficiently to support well informed, timely and cost- effective environmental decision-making.*

- 11.1 Utilize innovations in information technology to support and streamline programs in achieving DES goals and objectives.
- 11.2 Develop and implement the information management and delivery systems necessary to support improved analysis of environmental information by the department and the public.
- 11.3 Increase access to and ease of use of environmental information while utilizing appropriate security measures and adhering to statewide privacy policies.
- 11.4 Expand e-government.
- 11.5 The environmental data DES relies upon to make decisions is of known quality, and the quality and quantity of that data is appropriate for its uses.

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# **EPA New England**

## **E. EPA NEW ENGLAND STRATEGIC PLANNING AND ENVIRONMENTAL RESULTS EFFORTS**

For the past two years, EPA New England has made an intensive effort to align and evaluate its work around environmental goals. There were four reasons driving this effort:

- 1) To better assess the effectiveness of EPA New England's work in terms of environmental results;
- 2) To better communicate with the public about issues they care about;
- 3) To create a culture of leadership within the organization; and
- 4) To improve cooperation and joint planning with state and federal partners.

EPA New England established a strategic framework that will act as both an annual plan and a long term vision. The framework has five environmental goals, which are listed below. Each goal has a number of objectives (twenty-three in all), and each objective has an environmental indicator.

EPA New England established a four-part annual planning calendar which will articulate annual priorities in time to have thorough conversations with EPA Headquarters and State partners. They have also committed to assessing their work against the environmental indicators in mid and end of year planning and evaluation processes.

EPA New England is striving to create more flexibility for their State partners while at the same time building more accountability for achieving environmental results.

## **F. EPA NEW ENGLAND STATEMENT OF ORGANIZATIONAL PRINCIPLES AND STRATEGIES**

*EPA New England's vision is to have clean air and water, healthy communities and healthy ecosystems and to have all individuals, organizations and businesses of the region have an environmental ethic and take personal responsibility to protect and preserve public health and the environment. (Fall 2002)*

Our first area of focus must be our own workforce. A highly-skilled and motivated workforce that reflects the community it serves is the best way to achieve our environmental goals. We must have an organization founded on the principles of fairness, equity, good management and sound leadership. We must also operate under the principles of sound and responsible government, responding to the concerns of our stakeholders in a timely, efficient and professional manner, executing our work with sound management practices and a focus on customer service.

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Even with the best possible workforce, government alone will never have the capacity to reach or sustain the environmental goals that are critical for the quality of life for existing and future generations. Therefore, it is imperative that *everyone* play a significant role in improving and sustaining the environment.

EPA New England recognizes that some regulated entities have either inadvertently or deliberately failed to comply with environmental laws and regulations. The region is committed and prepared to take a range of appropriate enforcement actions to help motivate compliance and to provide a deterrent to those whose actions show a disregard for environmental goals.

EPA New England will provide leadership and support in building an environmental ethic by:

- Providing better, more accessible information on the status of the environment, including current and future threats to environmental quality, ensuring all information is based on sound science;
- Increasing the capacity of people, organizations and businesses to exercise responsible environmental actions helping them to achieve an improved understanding of environmental requirements, providing technical assistance on preventing pollution, providing technical assistance on measuring and interpreting environmental data and facilitating partnerships among organizations, businesses and government;
- Encouraging businesses to adopt innovative approaches to meet or exceed environmental requirements and, where appropriate, providing flexibility under existing regulations where this brings about net environmental benefits and economic competitive advantage; and
- Deploying our resources in an equitable manner in order to equally protect all of the public.

## **G. EPA NEW ENGLAND ENVIRONMENTAL GOALS**

### **1. Clean and Healthy Water: Drinking Water and Surface Water**

#### **Subgoal: Drinking Water**

**Objective #1: Systems Compliance:** Increase % of PWS systems meeting microbial and other health based standards.

**Objective #2: Protection of Public Drinking Water:** Protect public drinking water from pollution.

**Objective #3: Aquifer Protection:** Maintain or restore groundwater for future use in other than source water areas.

#### **Subgoal: Surface Water**

**Objective #1: Restore Water Quality:** Restore water quality in impaired waters.

**Objective #2: Maintain Water Quality:** Maintain surface water quality.

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## **2. Clean and Healthy Air:**

**Objective #1: Ozone:** Reduce ozone exceedance days in each non-attainment area.

**Objective #2: Particulate Matter:** Reduce regional haze and unhealthy levels of particulate matter.

**Objective #3: Criteria Air Pollutants:** Maintain healthy ambient levels of criteria air pollutants (CO, SO<sub>2</sub>, NO<sub>2</sub>, Lead).

**Objective #4: Air Toxics:** Reduce ambient levels of and exposure to air toxics.

**Objective #5: Healthy Climate/Atmosphere:** Reduce CO<sub>2</sub> and non-CO<sub>2</sub> greenhouse emissions.

**Objective #6: Atmospheric Deposition:** Reduce deposition of acid rain and mercury from atmosphere onto land and water bodies

## **3. Healthy Human Communities:**

**Objective #1: Healthy Children:** To protect children from environmental health threats by improving the quality of the environments where children spend their time: at school, at home and outdoors.

**Objective #2: Livable Communities:** Restore, revitalize, and protect urban environments, and reduce sprawl in suburban and rural areas.

**Objective #3: Toxic Substances & Pesticides:** Reduce exposure to and pesticides and toxic substances.

**Objective #4: Tribal Environmental Quality:** Environmental quality and health affected by environmental threats will improve for tribes in New England.

**Objective #5: Waste Sites:** Make previously polluted sites safe for communities.

**Objective #6: Waste Sites:** Restore previously polluted sites for community, ecological or economic re-use.

## **4. Healthy Ecosystems:**

**Objective #1: Aquatic Ecosystems:** Increase quantity and quality of our aquatic ecosystems: wetlands, fresh water habitats, and marine habitats including eelgrass beds. (Now contains water quantity/flow).

**Objective #2: Diverse Habitats and Sensitive Development:** Permanently protect habitat, sensitively develop unprotected land.

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**Objective #3: *Protect Marine Habitats:*** Minimize adverse impact from marine dredging and disposal of materials.

## **5. Compliance And Changing Environmental Behavior:**

**Objective #1: *Increase Compliance in the Regulated Community:*** Reduce pollution across media through increased compliance

**Objective #2: *Sustainable Performance in the Regulated Community:*** Decrease pollution across media through sustainable performance and behavior change.

**Objective #3: *Increase environmentally responsible behavior in the general public:***

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**Performance Partnership Agreement  
for Federal Fiscal Years 2003 - 2004**

***Section II***

***General Provisions***

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## II. General Provisions

### A. Scope

The federal fiscal year 2003 - 2004 Performance Partnership Agreement (Agreement) between the New Hampshire Department of Environmental Services (Department / DES) and the U.S. Environmental Protection Agency New England (EPA New England), covers the period from October 1, 2002 to September 30, 2004, and is accompanied by detailed annual workplan. It is part of an ongoing cooperative effort between the Department, EPA New England, and various interested parties to more clearly articulate environmental goals and priorities for New Hampshire, and to better focus available resources on achieving them. This Agreement is consistent with the principles embodied in the May 17, 1995 agreement between Environmental Protection Agency and the Environmental Council of the States regarding a joint commitment to reform oversight and create a National Environmental Performance Partnership System (NEPPS).

The Agreement sets forth the goals, sub-goals, objectives, activities, and measures of progress for the full range of cooperative state-federal environmental programs under the Department's jurisdiction, including the following programs:

- Air Pollution Control - Clean Air Act - Section 105.
- Hazardous Waste Program - Resource Conservation and Recovery Act - Section 3011.
- Underground Storage Tank Program - Solid Waste Disposal Act - Section 9010.
- Public Water Supply Systems - Safe Drinking Water Act - Section 1443(a).
- Underground Injection Control Program - Safe Drinking Water Act - Section 1443(b).
- Water Pollution Control - Clean Water Act - Section 106.
- Nonpoint Source Management - Clean Water Act - Section 319.
- Water Quality Cooperative Agreements - Clean Water Act - Section 104(b)(3).
- Wetlands Program Development - Clean Water Act - Section 104(b)(3).
- Pollution Prevention Incentives for States Grant.

The work plan also includes the Activities and Deliverables for non-federally-funded programs as well, providing stakeholders with a more comprehensive overview of the Department's efforts to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire. For a detailed presentation of the *DES Comprehensive Action and Assessment Workplan (FFY 2003)*, please refer to Section VI.

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The Department and EPA New England enter into this Agreement as partners to implement the specific actions outlined in the Agreement within the limits of available resources. Further, the Department and EPA New England agree that this is intended to be a living document, and the senior leadership and other appropriate staff at the two agencies will maintain close communication throughout the Agreement period, including semi-annual and annual self-assessments by the Department, to discuss progress with implementation, and to consider the need for any modifications.

## **B. Performance Partnership Agreement Principles**

The New Hampshire Department of Environmental Services and EPA New England agree to the following principles to further our partnership approach to protecting New Hampshire's and New England's environment and its citizens. Both agencies will:

- Continue to work as partners to build trust, openness, and cooperation.
- Manage our collective resources to meet the highest environmental needs in the state.
- Capitalize on each other's strengths and expertise.
- Communicate more frequently, more clearly (using agreed upon environmental measures), and more openly between ourselves and others.

In addition, the Department and EPA New England support the following concepts that are reflected throughout this Agreement:

- Service to the public.
- Cooperation and coordination with other federal, state, and local government agencies.
- Clearly stated expectations.
- Activities that demonstrate measurable environmental and/or public health improvements.

## **C. Financial Context and the Performance Partnership Grant**

The following table provides a summary of the financial resources – state, federal, and other – that were expended in state fiscal year 2002, and is expected to be expended in state fiscal year 2003.

***Summary of State Fiscal Year 2002 Expenditures***

<i><b>Budget Category</b></i>	<i><b>General Funds (\$ in millions)</b></i>	<i><b>Federal Funds (\$ in millions)</b></i>	<i><b>Other Funds (\$ in millions)</b></i>	<i><b>Totals (\$ in millions)</b></i>
<b>Program Costs</b>	10	12	19	41
<b>Grants/Loans</b>	18	18	23	59
<b>Totals</b>	<b>28</b>	<b>30</b>	<b>42</b>	<b>100</b>

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Based on the table above, at approximately thirty million dollars, EPA New England funds almost one third of the Department's total budget. Within this, federal funds account for 29% of the program costs (commonly referred to as operating costs) and 31% of the grants and loans (for wastewater, drinking water, landfill closure and oil pollution control) administered by DES. This funding plays a key role in helping DES carry out its broad mission to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire.

DES and EPA New England continue to work hard to find ways to increase grant flexibility, reduce administrative oversight, spur innovative, and provide a better focus on environmental results. Such an approach is especially important now during a challenging budgetary period, when federal and state funding is simply not keeping pace with steadily increasing program costs.

One of the key advantages of a Performance Partnership Grant is the ability to look at the grant funds in total, and then direct them as, appropriate, to different programs and activities according to an assessment of state-specific and regional needs and priorities. This can be accomplished either upfront during grant budgeting exercises, or after-the-fact via carryover funds.

In the past, the Department received individual, stand-alone program grants, whose funds were earmarked specifically for that program and were typically not used for any other purposes. Any funds that were left over at the end of the year remained with the program. Financial and program decisions were made primarily by individual program managers without a broader, department-wide perspective.

Since 1997, DES primarily receives a single Performance Partnership Grant award each year -- \$5.3 million in federal fiscal year 2002, and expected to be about the same in 2003 -- that provides funding for a range of air quality, waste management and water quality programs, and the Department and EPA New England can agree to shift limited resources across the programs to reflect the needs and priorities set forth in the Performance Partnership Agreement. The Agreement is the single work plan, and the Grant is the primary federal funding mechanism to implement the bulk of the work plan. **Note:** there are a number of federal grants that are managed outside of the Performance Partnership Agreement and comprise the difference between the Performance Partnership Grant and the total federal share of the Department's budget.

Like many other state environmental agencies, DES continues to struggle with gaining the full benefits and flexibility of the Performance Partnership Grant as envisioned under the National Environmental Performance Partnership System. While DES has seen some funding increases over the last several years in some federal programs, many programs have actually experienced flat or reduced funding levels. Any financial increases gained have unfortunately been offset by: 1) continuously rising costs of doing business; 2) increased grant pass-through requirements; 3) additional program responsibilities; 4) prescriptive spending requirements (i.e., any "extra" funds must be spent on specific activities); and 5) state budget challenges (i.e., the inability to shift resources easily across federal and state funding sources). These issues, on top of increasingly smaller and smaller pots of discretionary carryover funds, have created significant budgetary challenges with which DES and EPA New England staff have had to contend. While no easy fixes are on the horizon, DES will continue to work cooperatively with EPA New England and its many other project partners to ensure a level of funding and grant flexibility necessary to continue to protect and restore environmental quality and public health in New Hampshire and the Region.

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Over the last few years, challenges aside, some administrative streamlining *has* taken place at DES in the form of less grant-related paperwork and reporting requirements for individual program/grant managers, and there *have* been examples of Performance Partnership Grant funds being re-directed (both during upfront budgeting and through the use of carryover funds) towards DES Programs and DES and EPA priorities which otherwise would not have been funded.

For the most part, Performance Partnership Grant funds remain within their originating media grant sources. That is, the waste, water, and air-related source funds tend to stay within their respective program and media areas. This is particularly true during the budgeting process where funds have yet to cross over the media lines in any significant way. Perhaps the best example of Performance Partnership Grant flexibility can be seen within the Water Division programs where the water funds are first pooled, and budget decisions made, only after a comprehensive assessment of individual program and environmental needs. A number of DES water programs (e.g., Biology and Wetlands) directly benefit from the flexibility provided by the Performance Partnership Grant PG system. Prior to the Performance Partnership Grant system, the Wetlands Program would traditionally receive \$205,000 in EPA funds each year, but under the current system, the federal portion of the Wetlands program budget is actually closer to \$325,000. In the true spirit of the Performance Partnership Grant, EPA funds cannot be lined up one-to-one with various programs, particularly within the water programs, because once the money gets to DES, it is reallocated based on real program and environmental protection needs.

Because Performance Partnership Grant carryover dollars, by design, originate from a variety of program funding sources, they are, in reality, “mixed” funds, and represent a great deal of funding flexibility. That is, in theory, air-related source funds could be funding a water or waste-related project or initiative. The examples below represent a current total reprogramming investment of almost \$900,000 (since 1999) on various projects and initiatives which would not have been possible without a department-wide perspective and Performance Partnership Grant carryover funds.

***Most Recent Re-Programming Examples Using Federal Fiscal Year 2000 Performance Partnership Grant Carryover Funds:***

- Purchase of computer equipment for the Americorps Watershed Corps Program.
- Purchase of software licenses (e.g., Arcview/Access) and computer equipment for the Shellfish Program.
- Purchase of software upgrades and sampling equipment for diagnostic feasibility studies conducted by the Clean Lakes and Lake Assessment Programs.
- Funding for New Hampshire’s portion of administering the regional Action Plans for Mercury, Acid Rain and Climate change. All the New England States and Eastern Canadian Provinces provide a contribution based on a formula determined by size of state/province. The U.S. funds are used by New England Governor’s Conference to provide staff support to the regional task forces, organize and run meetings and prepare documents/progress reports on the regional efforts.
- Bridge funding to support the Instream Flow Specialist position (previously created and funded with pre-federal fiscal year 1999 carryover funds) for the period from November 2002 to July 2003, when more sustainable, non-carryover based funding will kick in.

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- Funding to continue support of National Performance Track and other Environmental Management System-related initiatives. This will allow DES to continue to both provide input and gain information on this emerging and important area of government environmental oversight.

***Past Re-Programming Examples Utilizing Pre-federal fiscal year 1999 and 1999 Performance Partnership Grant Carryover Funds:***

- Funding for several key positions related to mercury reduction and sprawl, instream flow, volunteer rivers assessment, dam removals and river restoration, environmental management systems and quality management planning, and Underground Storage Tank and Watershed-related program administration.
- Start-up and operation of a new “CAMNET” in New Hampshire as part of a regional network of outdoor digital camera sites.
- Funding for several summer intern positions that were crucial to the start-up of several important DES initiatives, including the 2000 State of the Environment Report, a new Dioxin Reduction Strategy, a Municipal Information Database, Resource Conservation and Recovery Act Database and Geographic Information System Coverage, a study on municipal costs for environmental infrastructure services, and the development of natural resource surveys/management plans for DES-owned lands.
- Outreach and education associated with particulate matter and the New Hampshire Clean Air Strategy.
- Coverage of additional biomonitoring and chemical sampling program costs.
- Water-related sampling, monitoring, and analysis software and equipment.
- Purchase of a shellfish sampling boat for the Seacoast region.
- Funding to support the work of the New Hampshire Land and Community Heritage Commission, in particular, completion of its final recommendations report regarding the establishment of a statewide land protection program.
- Funding to support the habitat protection and conservation efforts of the Great Bay Resource Protection Partnership.
- Funding to support a contract with the Society for the Protection of New Hampshire Forests for the analysis of the natural resources and water quality related features within the source water protection areas of ten major water systems in New Hampshire.

Through the Performance Partnership Agreement and Grant, the Department has experienced increased communication between DES leadership, program managers, and financial staff, greater direct program manager access to accounting information, and improvements in its financial reporting systems. Each year, DES works to become more effective at managing its many environmental programs within the Performance Partnership Grant environment. Department and EPA New England staff will continue to engage in productive and on-going discussions regarding state and federal priorities, as well to maintain an effective framework for looking at the net impacts of putting dollars to the most important priorities.

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**Performance Partnership Agreement  
for Federal Fiscal Years 2003 - 2004**

***Section III***

***DES and EPA New England --  
Program Priorities***

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# III. DES and EPA New England – Program Priorities

## Introduction

Given the Department's broad mission to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire, and the significance of the work DES staff must accomplish each year, it is no small task to identify a concise listing of Program Priorities. EPA New England has an equally aggressive mission and challenge identifying a "short list" of Program Priorities. In many ways, all that DES and EPA New England do – in offering education, outreach, and technical/compliance assistance services, conducting environmental monitoring and sampling, performing technical and policy research, drafting legislation and rulemaking, permitting and mitigating environmental impacts, carrying out inspections, enforcing, when necessary, the rules and regulations set up to protect the environment and public health, and providing grants and loans to help its environmental partners -- is essential to meeting lofty missions.

Despite this challenge, both DES and EPA New England Senior Leadership participated in a joint priority setting meeting in December 2002, for the purpose of identifying key agency priorities on which to focus extra attention (either individually or jointly) during federal fiscal years 2003 and 2004. In many cases, as indicated in the program priority narratives that follow, close cooperation by both agencies is required for a successful outcome. However, there *are* some Program Priorities listed that may be of greater concern to one agency or the other.

As a direct result of the senior planning meeting in December, the original DES and EPA New England Program Priority lists were merged (provided in alphabetical order below), and several joint narratives were added, along with agency contacts, where significant agency overlap was apparent. Staff contact names are included to: 1) indicate greater "ownership" of the priorities; 2) allow for greater program coordination between DES and EPA New England; 3) make inquiries easier for interested parties; and 4) to better facilitate future semi-annual narrative updates by staff at both agencies.

In order to maintain an appropriate level of attention on these Program Priorities, and also to gain the greatest benefits of a cooperative, problem-solving approach, close communication between both agencies will be necessary. As such, appropriate staff from the two organizations agree to provide coordinated, narrative updates every six months to ensure that desired progress is being made on the various program priorities.

**Note:** It should be emphasized that exclusion of a particular issue or program area from this priority listing should not be misconstrued to mean that work is not being accomplished in that particular area. All "core" DES and EPA New England services, as listed above, are ongoing and essential to effective, functioning agencies charged with protecting and restoring the environment and public health in the State and in the New England Region. Please refer to the detailed program tables in Section VI of this Agreement for any information on these and other DES programs and services not specifically included in the federal fiscal year 2003 – 2004 DES/EPA New England Program Priority list to follow. An electronic version of the 2003 -2004 Performance Partnership Agreement (in .pdf format) is located on DES's website at: <http://www.des.state.nh.us>, click on "Performance Partnership." To locate a specific program, activity, deliverable, or contact person, please use the DES website's main search engine function or the "Find" feature of the Adobe Acrobat Reader software.



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## **DES/EPA New England Program Priorities**

### **A. Air Quality Issues and Strategies - (DES Contact: Robert Scott)**

#### ***DES - Ozone and Fine Particulate Matter – Achieving National Ambient Air Quality Standards (NAAQS) and Implementing New Standards***

Ensuring that New Hampshire's air quality is meeting the most protective public health standards for ozone continues to be one of the most pressing air quality issues facing the State. In the summer of 2002, New Hampshire experienced thirteen days in excess of the eight-hour National Ambient Air Quality Standard for ozone and two days in excess of the one-hour ozone standard. Of note is that in almost every one of these cases, the scientific data indicates that the pollution was transported into New Hampshire from other areas. Activities related to attainment of the one-hour ozone standard and implementation of the eight-hour ozone standard continues to be a significant portion of the Air Program work plan.

Of equal importance is ensuring that new National Ambient Air Quality Standards for fine particulate matter are being met. The particulate matter standard set by EPA was revised in 1997 to include smaller particles (2.5 microns in diameter) to provide increased public health protection from the adverse health effects associated with inhalation of these smaller particles. Fine particulate matter may be emitted directly into the atmosphere (e.g., soil dust) or formed in the atmosphere from such gases as sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), and volatile organic compounds (VOCs). It is estimated that more than half of the fine particulates present in New Hampshire's air are formed as secondary particles from such gases.

In response to the revised standard, New Hampshire initiated air monitoring for fine particles in order to provide adequate and accurate data to assess New Hampshire's attainment status with regard to this pollutant. Over the next year, New Hampshire will continue to enhance monitoring and data analysis to support attainment/nonattainment area designation recommendations and to evaluate effective control measures as necessary.

In addition to the adverse health impacts of fine particulate matter, fine particulate matter formed secondarily in the atmosphere is a major cause of visibility impairment, referred to as regional haze. New Hampshire is committed to working with MANE-VU (designated Regional Planning Organization in the Northeast) to develop regional haze plans to reach visibility goals in the wilderness areas of the White Mountain National Forest and to meet federal state implementation plan (SIP) requirements.

***(EPA New England Contact: Dave Conroy) - EPA New England Efforts to Implement New Ozone and Fine Particulate Matter Standards:*** Now that litigation over the new ozone and fine particulate matter standards has been resolved and the standards upheld, EPA New England will be working with the states on implementation of these new standards. The Region has already requested each of the six New England states to submit recommendations on designation of attainment and nonattainment areas for the new eight-hour ozone standard by April 2003. Later in 2003, EPA will also request recommendations from the states on designations of fine particulate matter attainment and nonattainment areas. The Region will designate areas for the ozone standard no later than April 2004 and will finalize designations for the fine particulate standard some time thereafter. Nonattainment designations will then trigger a three-year deadline for submission of an attainment plan and adopted control measures.

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In order to prepare for this air quality planning effort, EPA New England will continue to work with MANE-VU and the New England states on the development of accurate emission inventories and modeling. The Region will also support early actions by the states to reduce emissions of precursors to the formation of ozone and fine particulate matter. Connecticut, Massachusetts and New Hampshire have already taken an important early step toward attainment by requiring multi-pollutant power plant emission reductions. The efforts of EPA New England, New Hampshire and the other states to reduce diesel emissions will also assist in reducing fine particulate matter and its precursors.

***DES Strategies and Solutions: Focusing on Cost-Effective, Multiple-Benefit Programs***

Solutions for controlling emissions and atmospheric formation of particulate matter and ozone will also affect other air pollution problems such as acid rain, global climate change, mercury, and regional haze. Solutions will be needed at the state level, in conjunction with established permitting and compliance efforts, but significant reductions will be needed through regional and national strategies as well. Many of New Hampshire's air quality problems can be scientifically linked to transport issues. To that end, New Hampshire will continue efforts to support the revised ozone and particulate matter standards, push for fair and equitable implementation of the standards, and promote state and regional strategies that simultaneously address these and other air pollution problems. Some program highlights over the next year include:

- 1) **DES - An emphasis on energy efficiency, energy conservation and renewable energy sources as the key solutions to addressing all air quality issues simultaneously, including global climate change.** Program priorities include increased implementation of strategies in the *New Hampshire Climate Change Challenge* to enhance and promote energy efficiency, continued implementation and enhancement of the New Hampshire Greenhouse Gas Registry, and continued participation in regional and national efforts to address greenhouse gases.

***(EPA New England Contact: Michael Kenyon) - EPA New England Efforts to Promote Energy Efficiency, Conservation and Renewable Sources:*** In recognition of the important role of energy generation in many of New England's environmental challenges, the Region has created an Energy Team charged with coordinating the Region's work on energy issues, promoting energy efficiency and renewable power, and assisting voluntary efforts to reduce greenhouse gas emissions. The Energy Team will be working on the following projects in 2003:

- Participating in the environmental review and/or permitting of new energy projects, such as offshore wind farm projects or fossil fuel-fired power plants;
- Working directly with cities and towns on projects to reduce energy consumption in municipal or school buildings;
- Co-sponsoring and actively participating in the stakeholder-based New England Demand Response Initiative to develop recommendations for policies on market-based incentives to reduce energy demand in New England's electricity markets;
- Working with large groups of power users to develop contracts that specify that a portion of their power come from green sources, in order to stimulate demand for green power;
- Providing support to the New England Governors/Eastern Canadian Premiers' (NEG/ECP) climate change action plan by: 1) assisting in development of a 2003 conference on climate

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change adaptation; 2) providing technical support on development of state policies on purchase of Energy Star office equipment and energy efficient vehicles; 3) providing technical support on the purchase of Energy Star energy-efficient traffic lights; 4) integrating our energy work with colleges and universities with the NEG/ECP effort to adopt an energy challenge program; and 5) continuing to be active in the NEG/ECP climate change steering committee.

The Energy Team will also continue its efforts with New Hampshire's Office of Energy and Community Services to develop a project to benchmark energy performance in all state buildings.

- 2) **DES - Significant reductions of NO<sub>x</sub> from upwind states.** NO<sub>x</sub> reductions are required to reduce ozone levels, to lessen the impacts of acid deposition, to reduce fine particulate formation and regional haze, and to lessen nitrification of surface waters. New Hampshire will continue to be an active participant in regional and national NO<sub>x</sub> reduction initiatives (i.e., OTC NO<sub>x</sub> MOU, NO<sub>x</sub> SIP call, Section 126 petitions, and vehicle and fuel standards). New Hampshire will also continue to lead by example by encouraging, and in some cases requiring, NO<sub>x</sub> reductions from New Hampshire sources through cost-effective, environmentally-superior programs. These programs include the Discrete Emissions Reductions (DERs) Trading Program, the Emissions Reductions Credits (ERCs) Trading Program, the Nitrogen Oxides (NO<sub>x</sub>) Budget Trading Program, and the NO<sub>x</sub> Emissions Reduction Fund.
- 3) **DES - Implementation of New Hampshire's Clean Power Act.** New Hampshire passed first-in-the-nation legislation regulating sulfur dioxide, NO<sub>x</sub>, mercury, and carbon dioxide (RSA 125-O became law on May 9, 2002). Final promulgation of regulations and implementation of the program will be a major focus for the upcoming year.
- 4) **DES - Strategies, both voluntary and regulatory, to reduce emissions from mobile sources, especially diesel trucks and buses.** These strategies include smoke opacity testing, outreach to diesel vehicle owners/operators, the Clean Cities Program, the Clean Car labeling program, and implementation of the On-board Diagnostics (OBD) II Program.

***(EPA New England Contact: Dave Conroy) - EPA New England's Efforts to Reduce Emissions from Diesel Engines:*** In 2003, the Region will devote significant effort to its voluntary programs to reduce emissions from in-use diesel engines. The Region will actively work with New England states and other partners in the following three key areas:

- ***Retrofit existing diesel vehicles with pollution controls:*** The Region is actively involved in a number of diesel retrofit projects underway in New England, involving school buses, transit fleets, locomotives and construction vehicles. While most of these projects are in urban areas outside of New Hampshire (e.g., Boston, New Haven, Hartford), these efforts to retrofit vehicles will reduce transport of emissions into New Hampshire.
- ***Creation and implementation of anti-idling initiatives:*** Region 1 staff are working with all six states to develop clear, concise idling guidelines for diesel vehicles, with a specific focus on school buses. With assistance from the Region, including the development of model documents, New Hampshire and two other New England states have joined forces with school transportation officials to develop anti-idling policies. We will continue to provide materials and support for these anti-idling efforts.

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- *Outreach and education:* The Region has created a brochure and several fact sheets for states to use in promoting diesel emission reduction efforts. In partnership with the state school transportation association, New Hampshire's DES has built off EPA's materials to develop an excellent state program that targets school bus drivers. Next year, EPA will assist DES efforts as they work to reach more schools in developing anti-idling programs. In addition, through our support and participation in New England Asthma Regional Coordinating Council, we are exploring opportunities for fuel-buying and bus-buying cooperatives, which could help bring down the cost to schools of cleaner buses and fuel.

- 5) **DES - Public education and outreach on ozone and particulate matter, as well as other air quality issues in cooperation with New Hampshire Department of Health and Human Services officials.** Work plan activities highlight the development and distribution of messages with information on public health effects, expansion of a DES ozone and particulate matter website, assistance and education to truck and bus fleet operators, public service announcements highlighting the importance of vehicle maintenance and energy use reduction tips, and activities related to air quality action days (e.g., ozone mapping project, Air Quality Index, transit provider free ride program). In addition, DES continues to enhance and improve its website with regard to near real-time ozone and particulate matter data and popup "bad air day" warnings.

## **B. Availability of Sustainable Water Supply - (DES Contacts: Paul Currier, Tony Giunta)**

The focus on water resource management as a critical issue for New Hampshire's future continues to increase. New Hampshire has just suffered two consecutive summers of near-record droughts. The state's population continues to grow even during a slow economy with a projected increase of about 300,000 people (25%) over the next twenty years. Significant policy discussions continue in the New Hampshire Legislature concerning water policy. During the 2002 Legislative Session, legislation was passed concerning in stream flow management, regional water systems, and water conservation and a bill on large groundwater withdrawals was proposed but not passed that elevated the discussion on this issue. There are many different reasonable and beneficial uses of New Hampshire's surface waters and groundwater, including public water supply, agriculture, commercial uses, and energy production; and, for surface water, for navigation, recreation and fish and wildlife habitat. These all need to be accommodated and balanced for effective long term water management, recognizing that groundwater and surface water, as well as water quality and quantity, are closely linked and must be considered on a watershed basis. These are complex issues that New Hampshire will continue to debate, and make progress on, over the next two years in partnership with EPA. Four specific program priority areas are discussed below: Water Conservation; Instream Flow Protection; Regional Water Supply Cooperation; and Groundwater Sustainability.

**Water Conservation:** In 2002, with the passage of Senate Bill 440, New Hampshire defined water conservation for the first time as "any beneficial reduction in water losses, waste, or use" and required that DES adopt rules on best management practices for water conservation. This was in part the result of a study conducted by DES and the New Hampshire Public Utilities Commission (PUC) to study how existing laws, regulations, and policies encourage or discourage water conservation (Chapter 64, Laws of 2000). This study, "Regulatory Barriers to Water Supply Regional Cooperation and Conservation in New Hampshire" was completed in August 2001 at the request of the legislature. DES and PUC surveyed community water suppliers and businesses that use large volumes of water and found that 83% of the water systems and 70% of businesses implement only very limited water conservation

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measures or none at all. New Hampshire now has an improved framework for a comprehensive policy to employ water conservation to maximize the beneficial use of New Hampshire's water resources. In November 2002, DES also presented several workshops on water conservation. DES, with EPA's assistance, will continue education, outreach and policy development efforts on water conservation during this period.

**Regional Water Supply Cooperation:** The terrorist attacks on September 11th and the droughts over the last two years have demonstrated the increasing need for regional water supply approaches and additional source protection measures to ensure that our water supplies are more reliable and less vulnerable. The 2001 DES/PUC Study noted above also identified ways that New Hampshire can better encourage regional cooperation in water resources management. This study found that interconnections currently do not exist between many systems even where they are feasible and could add significant reliability and integrity to both individual public water systems and to the state's water supply infrastructure as a whole. This situation exists because most municipal water suppliers are not oriented toward full consideration of regional water supply alternatives in their planning, choosing instead to opt for "stand alone" solutions. SB 437-FN, which became law in 2002, addressed some of these barriers by creating incentives and mechanisms to foster public water system regionalization, and a legislative study committee on the possibility of expanding the eligibility of these state aid grants for this purpose. DES also presented a very successful seminar on regional water supply issues in November 2002 to set the stage for further discussion at the regional level. DES and EPA will continue to promote regional approaches to water supply management and planning.

**Groundwater Sustainability:** The availability of adequate water supply for New Hampshire's future is a growing concern and focus, particularly for the groundwater resources in New Hampshire's Seacoast region. In 1998, state legislation was passed to address concerns about the impact of large groundwater withdrawals on surrounding water resources and users by establishing a permitting program to ensure that there is no adverse impact to existing water resources and users, including wells, wetlands and surface waters. These requirements apply to both withdrawals for public water supply and withdrawals for commercial purposes such as golf courses, bottled water production and industrial water use. To date, DES has permitted two large groundwater withdrawals and is in the process of reviewing five other applications. Significant discussion continues in the state legislature concerning the hierarchy of groundwater uses as the resource becomes more limited and how to balance water the needs for residential, agricultural, commercial, and industrial purposes. The U.S. Geological Survey is also in the early phases of a study of groundwater resource sustainability on the Seacoast. DES will continue ongoing efforts to understand and balance groundwater resources in a sustainable manner.

**Instream Flow Protection:** Instream flow is one of the key protection measures provided under the Rivers Management and Protection Act (RSA 483) and is an important consideration in the federal Clean Water Act for protection of aquatic habitat. In 2002, a broad coalition of New Hampshire business and conservation interests joined together to enact compromise legislation which became Session Law 2002, 278 (from House Bill 1449-A) that calls for a pilot program and rules for instream flow protection on two of the fourteen designated rivers - the Lamprey River in the coastal watershed and the Souhegan River in the Merrimack watershed. The bill requires completion of instream flow water management plan studies for both rivers by April 1, 2005. DES has proposed that these studies be funded by state general funds in the next biennium and, as part of the coalition discussed above, is seeking federal funds to complete these efforts. In 2003, instream flow committees will be formed and rules adopted. EPA will provide technical assistance to DES in developing the technical basis for instream flow regulation consistent with the Clean Water Act. Both agencies will be working with the New England Interstate Water Pollution Control Commission on New England-wide discussions on this issue.

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## **C. Brownfields Program**

**(DES Contact: Michael Wimsatt)** - DES's Brownfields Program uses a variety of state and federal initiatives to leverage private investment in brownfields cleanup and redevelopment. The cornerstones of our brownfields efforts are the New Hampshire Brownfields Covenant Program and Brownfields Assessment Grants. The Covenant Program provides liability protections for developers who voluntarily investigate and cleanup sites. The Brownfields Assessment Grants are grants of services to municipalities, and are used to perform site investigation and cleanup planning services for selected sites. This work helps to position sites favorably for cleanup and redevelopment by removing the uncertainty associated with unknown environmental conditions. In the coming year DES hopes to secure significant additional funding in the form of an EPA brownfields assessment grant, and under the state response program grant, for continuing work at existing sites and for new project starts. DES has established a Brownfields Cleanup Revolving Loan Fund utilizing a \$2.45 million EPA grant. Two loans for brownfields projects have been made, leveraging over \$3 million in redevelopment investments. We hope to make at least one additional loan in the coming year.

As in the past, DES will work closely with local communities to assist them to cleanup and redevelop the brownfields sites that are of the most concern to them. In addition to using our resources to address these sites, we will encourage and aid municipalities, regional planning commissions, and nonprofits to apply for and administer their own EPA brownfields grants for assessment and cleanup.

Collectively, these efforts help to revitalize communities and deter sprawl, by keeping jobs and services in our downtowns and village centers. Further, they protect greenspace areas from being consumed by new development. In the face of a recession, DES believes that brownfields revitalization efforts are now more important than ever. The economic stimulus provided by successful brownfields redevelopment will be a critical element of New Hampshire's efforts to protect our region from the adverse human and environmental effects of a declining economy.

**(EPA New England Contact: Lynne Jennings)** - To date, \$6.2 million in Brownfields Funds has been distributed throughout the state of New Hampshire. EPA New England is currently working with the communities of Claremont, Concord, Nashua, Newport, Durham, Milton, Sutton, Londonderry, and Franklin, as well as the New Hampshire Office of State Planning and DES on ongoing Brownfields projects. EPA New England will continue to work with these communities and look to aggressively assist new communities applying for our funding. During this latest round of competition for funding in 2003, EPA received proposals from seven different applicants from the State of New Hampshire. Finally, we will also work directly with the DES on enhancements to their Brownfields voluntary response program and hope to provide funding for their priority tasks in this area.

## **D. Combined Sewer Overflows - (DES Contact: George Berlandi)**

One of the water quality challenges that New Hampshire continues to face is the problem of combined sewer overflows (CSO). The Department will work with EPA New England to advance the control of CSO discharges in Berlin, Exeter, Lebanon, Manchester, Nashua and Portsmouth, and in particular to continue to assist in the development of Manchester's alternative projects initiative.

**Berlin:** Berlin's sewer system was supposed to be a separated system when constructed. It has one CSO that is an overflow to the main pump station. The City is implementing a plan to eliminate it by reducing infiltration/inflow to the system.

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**Exeter:** In the 1980s, the Town of Exeter separated the majority of its combined system. A small portion of the Town was still combined and used to overflow to a manmade pond which provided some treatment (settling) prior to discharge to the Squamscott River. The Town intends to eliminate the CSO by separating the remaining portion of the combined system over the next three to five years. DES will assist EPA New England to ensure that the Town stays on schedule. The discharges from the Town's CSO have been significantly reduced. The Town is presently reviewing all the work performed to date and developing a time frame for the remaining work to be performed. When completed, the CSO is expected to be eliminated.

**Manchester:** In 1999, DES and EPA New England successfully negotiated a Compliance Order with the City which will eliminate approximately half of the City's CSOs over ten years. The Order includes a supplemental agreement which requires the City to spend an additional \$5.6 million on high-value environmental and public health projects, including land preservation, stormwater management, erosion control, restoration of urban ponds, and environmental education. Manchester's progress will continue to be monitored.

**Nashua:** In 1999, DES and EPA New England successfully negotiated an Administrative Order with the City which requires the City to eliminate (by separation) its nine CSOs over the next twenty years. The City has already spent over \$6 million, separating over four miles of combined sewer. The City is presently re-assessing whether or not complete separation is the best alternative. The City is presently conducting a study to determine the most cost-effective and environmentally protective option. A report on this re-assessment should be completed early next year. DES and EPA New England continue to review progress reports to ensure that this project stays on schedule.

**Lebanon:** The City has submitted a draft Long Term CSO Control Plan which DES and EPA New England are reviewing. The Long Term CSO Control Plan was approved and EPA New England issued an Administrative Order with a schedule to implement the agreed upon recommended plan in June of 2000. The City will eliminate six of its CSOs by the year 2008 and submit a report by December 31, 2005 which will detail the remaining steps needed to separate the stormwater sources from the remaining outfalls. It is expected that these separation projects will be completed by December 31, 2012.

**Portsmouth:** Portsmouth has been under an EPA New England Consent Decree for approximately ten years. In 1991, the City submitted a draft Long Term CSO Control Plan which for various reasons was never approved. Since 1991, the City has been gradually making improvements (including separation) to the combined system which should reduce the volume of CSO discharges. The City proposes to continue with partial separation over the next few years. They then plan to monitor the CSOs and update their long term CSO Facility Plan. They would like to amend and update the existing Consent Decree. DES will assist EPA New England with revisions to the Consent Decree and with monitoring the CSOs efforts. The City has updated its long-term control plan and submitted it to EPA and DES in August 2002. This plan is presently being reviewed and, when approved by DES and EPA, will likely result in a modification to the City's Consent Agreement.

## **E. Drinking Water Supply - (DES Contact: Tony Giunta)**

Public water supplies (PWSs) are required to comply with state and federal drinking water standards, water quality monitoring requirements, public notification requirements, and operational and construction standards. DES's Water Supply Engineering Bureau (WSEB) tracks and monitors compliance with state and federal drinking water regulations, enforces the regulations, administers PWS operation permits, provides financial assistance through the State Revolving Fund (SRF) program,

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conducts sanitary surveys, provides technical assistance, and trains and certifies water system operators. WSEB has also implemented a broad source water protection program and other programs utilizing geographic information system (GIS) data.

**Monitoring Compliance:** Monitoring requirements continue to become more complex with time. Federally-mandated water quality monitoring programs include: the coliform rule, chemical monitoring (Phase I, II, IIB, and V rules, and radionuclides), surface water treatment rule, and consumer confidence report rule. These will continue to be significant compliance issues for public water suppliers for DES to address through education, outreach, and enforcement during the next two years.

**Arsenic:** EPA has promulgated a new maximum contaminant level (MCL) for arsenic of ten parts per billion (ppb) and New Hampshire has adopted this standard, which is phased in over five years. In New Hampshire, approximately three percent of bedrock wells exceed the MCL of fifty ppb, and approximately thirteen percent exceed the level of ten ppb. This standard will require approximately 100 public water systems to provide arsenic treatment or seek other water supply sources. DES will continue to notify and educate public water supplies and New Hampshire's citizens on this issue to ensure that compliance is attained.

**Radon:** EPA is still evaluating alternatives, and no date has been set for promulgation of the federal radon rule. Nonetheless, DES continues to maintain an active program of outreach to citizens and public water supplies. In addition, a DES staff member is on the American Water Works Association's National Technical Advisory Workgroup (TAW) for radon. DES also continues to make progress in getting aerators installed at public water supplies for radon removal. These efforts will continue.

**Water Supply Land Grant Program:** The New Hampshire legislature has authorized and funded the Water Supply Land Conservation Grant Program. Since 2000, about \$1.6 million dollars has been distributed to municipalities to protect about 2,100 acres of source water protection lands. Under the program, the New Hampshire Department of Environmental Services (DES) makes grants to municipal or non-profit water suppliers for the purchase of land or conservation easements critical to their water quality. The Society for the Protection of New Hampshire Forests, under contract with DES, will provide assistance to applicants and landowners who are interested in the program. These water supply lands must be within the source water protection areas for existing or planned public drinking water sources. The state grants must be matched 75% from local sources. These match sources can include donated land or easements that also lay within the source water protection area, public funds, transaction expenses, or private funds. Also, there is a low-interest loan fund available from DES to help communities finance some or all of the match. DES has \$1.5 million for grant making during this state fiscal year of the program and has proposed that program funding continue during the next biennium.

**Private Wells Strategy:** The private well strategy is a non-regulatory outreach program to inform citizens of the state of the importance of testing their private well for a more meaningful short list of contaminant parameters, and at greater frequency, than has been common in the past. We intend to partner with Regional efforts to increase and improve this program of citizen education with regards to their own personal water supply quality.

**(EPA New England Contact: Patricia Hamlin)** - EPA will continue to provide the private well initiative with monetary assistance, staff time, and laboratory capabilities within budget constraints.



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## **F. Environmental e-Government Initiative - (DES Contact: Chris Simmers)**

*(Note: This program priority was previously titled OneStop Environmental Reporting and Information Access Program. The title has changed to more accurately reflect the electronic government focus of this work and to emphasize the department's commitment to implementing the e-government principles of the Governor's Information Technology Commission Report).*

The department will continue and accelerate its efforts to provide universal electronic access to its information and its regulatory procedures. In doing so, we will be working closely with EPA New England to share expertise, to improve the exchange of environmental information, and to ensure coordination of program-specific activities (e.g. electronic reporting for the RCRA Program). The primary elements of this initiative, and the priority tasks over the next one to two years within each element, are:

### **Electronic Reporting:**

- Work with the Department of Administrative Services and the Division of Information Technology Management on drafting rules for digital signatures under New Hampshire enactment of Uniform Electronic Transactions Act;
- Evaluate and track progress of other agencies, other states, and EPA New England, participate in the New Hampshire e-Government Initiative and the National Governors' Association Electronic Reporting Project, and track the development of EPA's Cross-media Electronic Reporting and Record-keeping Rule;
- Inventory program needs and interest across the department and develop initial system (for reporting that does not require digital signature) to provide single point of online access for multiple programs that have reporting requirements; and
- Establish a team to guide implementation and have participating programs work with selected stakeholders.

### **Electronic Permitting:**

- Evaluate and track the progress of other agencies (e.g., the New Hampshire Fish & Game project), other states, and EPA New England, and participate in the New Hampshire e-Government Initiative
- Review the findings and recommendations from a previous DES Permit Redesign Project;
- Design and begin to implement online permitting for the Land Resource Protection Programs (i.e., Subsurface, Wetlands, Shorelands, Alteration of Terrain) as part of the redesign of an existing database and conversion to Oracle from Visual FoxPro; and
- Develop online permitting for certain general permits concerning the air emissions from regulated facilities.

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### **OneStop Environmental Reporting and Information Access/Web GIS:**

- Continue to expand and update the OneStop site registry currently providing online access to information on 25,000 plus sites, provide support and refresher training for ongoing matching with nine participating program databases, and continue to add links to additional program databases;
- Work with DES Data Stewards to develop procedures for adding selected fields (e.g. location, SIC/NAICS code, political districts) to site registry, and also work with program managers and Data Stewards to expand access to existing information contained in program databases; and
- Improve the navigability and overall user-friendliness of the OneStop Web Geographic Information System, expand access to existing information contained in program databases, and educate the public and regulated community on the availability of the OneStop and OneStop Web GIS information.

### **National Environmental Information Exchange Network:**

- Carry out elements of the recently awarded EPA Readiness Grant regarding: 1) development and exchange of environmental measures (refer to the "Results-based Environmental Program Priority in this Section); 2) exchange of air toxics data with EPA New England using XML; 3) exchange of beach water quality data with EPA New England, and 4) the development and maintenance of the New Hampshire node on the Network.
- Continue participation in various Network project teams, including the Node 1.0 Work Group, the Laboratory Data Standards Action Team, the Registry Work Group, and the Security Work Group.

### **G. Environmental Justice - (EPA New England Contact: Kathleen Castagna / DES Contact: Philip O'Brien)**

For the present fiscal year, the EPA Environmental Justice Small Grant Program has awarded a \$15,000 grant for a "Healthy Home Services Project" to *The Way Home*, a non-profit organization in Manchester, N.H. The project will assist the City in providing "lead safe" housing to low-income residents in Manchester.

The EPA New England Environmental Justice (EJ) program continues to assist our state partners in providing technical assistance in the form of EJ training, mapping and policy support through the State/EPA EJ/Title VI Workgroup. DES is a member of that workgroup. EPA New England has reissued its EJ policy in October 2001. We have prepared EJ Action Plans for FFY 2001, 2002, and 2003 which we share with our state partners. We are in the process of preparing function-specific program guidance for several key environmental program areas which we will share with our state partners. These guidance documents will cover: State Program Authorization and Delegation; Grants; Contracts; Inspection, Enforcement and Assistance; Permitting; Performance Partnership Agreements; Waste Site Clean-up, Emergency Response and Brownfields; Public Involvement; and EJ Mapping User Guide. We also continue to communicate with the public and our state partners through the quarterly publication of EJ News, a newsletter from the EPA New England EJ Council.

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## **H. Exotic Aquatic Species - (DES Contact: Amy Smagula)**

Infestations of exotic plants are now documented in over 50 of New Hampshire's 950 waterbodies, and appear to be spreading at a rate of three to five lakes per year. A total of 45 waterbodies (including Winnepesaukee, Winnisquam, Squam Lakes, and Lake Sunapee) now have variable milfoil, one river has water chestnut, two lakes have Eurasian milfoil, and six lakes have fanwort. Excessive growth of milfoil and other exotics can impair fishing and swimming uses, and disrupt the ecological balance of affected waterbodies.

Since 1989, DES has implemented a volunteer "Weed Watcher Program" that utilizes trained lake residents to regularly monitor their waterbodies for any new or suspected exotic plant growth. Volunteers in this program have successfully headed off several potentially large infestations at a number of lakes. The department's goal is to annually train volunteers for participating lakes, and to expand the number of lakes with weed watcher organizations. Placing and maintaining educational materials at public boat access locations, town halls, and marinas has also become an important component of taking a proactive and preventative approach to milfoil management.

Because there are currently no effective means of permanent exotics eradication, New Hampshire continues to emphasize education and support of watershed-based prevention and early detection. In 2002, using a grant from the National Oceanic and Atmospheric Administration (NOAA), the New Hampshire Lakes Association (NHLA), in partnership with DES, implemented a Lakes Host Program where summer inspectors were placed at boat ramps on over 40 lakes to educate boat owners on milfoil and how to prevent infestations. This program was very well received. Also in 2002, boat registration fees were increased with two-thirds of the increase expected to fund grants for prevention programs, such as the lake hosts program sponsored by the NHLA, and the other one-third for research on the eradication or prevention of exotic plant species.

DES also sponsors and funds upwards of twenty management practices annually, including hand-pulling, establishing Restricted Use Areas (cordoning off an area to boat and recreational uses) near infestations, harvesting, laying mats over infested areas, and chemical management. If an infestation is detected early, hand pulling can result in eradication. Coupling this with establishing a Restricted Use Area, in cooperation with New Hampshire Fish & Game and the Department of Safety, can serve as an effective control for the waterbody.

## **I. Hazardous Waste Compliance - (DES Contacts: John Duclos, Kenneth Marschner)**

The Hazardous Waste Program under Subtitle C of the Federal Resource Conservation and Recovery Act (RCRA-C) is unique in that congress specifically legislated that the program, once authorized to the states, will act in lieu of the federal program. Essentially, EPA acts as an agent of an "authorized" state and enforces the state's Hazardous Waste Rules. With "state lead responsibility" there is an ongoing need to continuously evaluate the effectiveness of the program and change with emerging trends to better protect the public's health and the environment.

Currently, New Hampshire regulates a total of 4,550 hazardous waste generators that produce 60 million pounds of hazardous waste on an annual basis. The strategy for the hazardous waste program in FFY 2003 and through 2004 will be to focus on the separate regulatory and business needs of the larger generator from those of the smaller generator and include improvements to the education, compliance

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assistance, inspection, enforcement, and compliance measurement components of the program. New Hampshire plans to: 1) develop and implement a hazardous waste manager certification process for full quantity generators as authorized by the 2002 legislature; 2) seek a legislative bill during the 2003 legislative session to establish a self-certification program for small quantity hazardous waste generators to certify their compliance with the small quantity generator rules on a three-year interval; 3) increase the number of compliance assistance seminars offered by the department to support the certification of full quantity generator hazardous waste coordinators; 4) develop compliance assistance manuals for full and small quantity generators; 5) partner with the New Hampshire Automobile Dealers Association and the Small Business Technical Assistance Program to conduct compliance audits of their 480 members; 6) increase the number of inspections at full quantity generators and at the small quantity generators located in the wellhead protection areas of the state; and 7) explore the use of new technologies to expedite enforcement actions and analyze data.

The paradigm shift DES is promoting with the new certification programs stems from the realization that there will never be enough resources to inspect, on a frequent enough basis, all the generators producing hazardous waste. With that reality understood, increased visibility of regulator and regulated party through a certification process will enhance learning and understanding of how compliance better protects the environment; and in the long run, protects the assets of the business owner by preventing pollution and the potential for contamination of their property.

In order to measure future program performance and the impact of the certification programs, college interns will be sent into the field during the summer of 2003 to survey compliance status of generators for a second year. The goal is to develop a statistically-valid compliance rate of our regulated facilities as an outcome measure over time. With the additional survey work to be done during next summer, the department will have two years of data to establish a good baseline for determining future improvements in compliance rate and validating a pronounced change in corporate behavior in managing hazardous wastes.

EPA New England has looked favorably upon the new certification program for hazardous waste coordinators of large quantity hazardous waste generators and the proposed 2003 legislation for establishing a small quantity hazardous waste generator self-certification program. EPA New England will monitor and observe the progress of these programs to see if improved compliance will be the result of the two new initiatives. EPA will continue to support and encourage the efforts while augmenting RCRA-C compliance inspections within the state.

**J. Methyl Tertiary Butyl Ether (MtBE) - *(DES Contacts: Fred McGarry, Selina Makofsky, Michael Fitzgerald, Kent Finemore)***

New Hampshire's groundwater and public water supplies continue to be affected by the gasoline oxygenate MtBE. Currently, MtBE adversely affects 13.9% of New Hampshire's public water supplies, which is an increase of about 0.5 percent over the results reported in 2002. It is expected that the number of public water supplies with some level of MtBE contamination will likely increase slightly in the 2003.

In a recent study of private water supplies conducted in the Town of Salem, drinking water samples were collected from 112 homes from the Arlington Pond area. This area is a residential neighborhood with homes on lots of 1/4 to 1/3 acre in size. All of the homes are served by bedrock wells ranging in

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depth from 145 to 555 feet. Of the 112 samples collected, eight (7%) were above the New Hampshire maximum contaminant level (MCL) for MtBE of thirteen parts per billion (ppb) with the highest concentration at 190 ppb. Another twelve samples (11%) were in the range of five to thirteen ppb. An additional 60 samples (54%) had an MtBE concentration equal to or above 0.5 ppb. Eight samples also contained another gasoline oxygenate, tertiary-amyl methyl ether (TAME), at concentrations ranging from 0.5 to 28 ppb. There are no known gasoline underground storage tanks within a mile of the area. The Department will be utilizing a newly-created fund, the Gasoline Remediation and Elimination of Ethers Fund, to assist the Town in extending water mains to the affected homes.

The Department is overseeing a study being conducted by the University of New Hampshire regarding the fate and transport of MtBE through Paugus Bay, the source of drinking water for the City of Laconia. The study, expected to be completed in April 2003, will show the impact of boat traffic on the concentration of MtBE in the Bay.

The Department is also working with the University of New Hampshire in evaluating the generation of tertiary butyl alcohol (TBA) in point of entry treatment systems. Some of the activated carbon treatment systems have been found to generate TBA, which is a breakdown product of MtBE. TBA has potential human health effects and is more difficult to remove from water than MtBE. This study will investigate the conditions under which TBA can be generated and the actions that can be taken to stop its formation.

A study of the content of reformulated gasoline distributed within the State, conducted by the DES Air Resources Division in 2000, found other ethers in gasoline used as oxygenates. As a result, DES now requires all analyses of groundwater and drinking water to include the four ethers now used in gasoline as well as tertiary butyl alcohol, an oxygenate and a degradation product of MtBE. We have also requested the New Hampshire Department of Health and Human Services to review toxicological data for these compounds to determine if State maximum contaminant levels should be established for these chemicals. The determination by Health and Human Services of the health risks of exposure to two of these other oxygenates, TBA and TAME, is expected by the end of the 2003.

Federal reformulated gasoline (RFG) tends to have much higher concentrations of MTBE than conventional gasoline because of the requirement that federal RFG contain two percent oxygen by weight. DES was instructed by Governor Shaheen via Executive Order 2001-02 to opt-out of the federal RFG program. This action was supported by the Legislature through the passage of HB 758 (Chapter 293 – NH Laws of 2001). DES submitted the final revision to the State Implementation Plan to request an opt-out from the federal RFG program in October 2002, which included documentation of the adoption of a state level Oxygen Flexible Reformulated Gasoline (OFRFG) rule to make up emission reductions lost as a result of opting out. New Hampshire also continues to encourage the safe handling of gasoline and other voluntary initiatives to reduce MTBE contamination of water resources.

#### **K. National Performance Track - (EPA New England Contact: Martha Curran / DES Contact: Robert Minicucci)**

The National Environmental Performance Track program is an important public/private partnership that encourages environmental excellence, involves communities in environmental protection, and focuses on measurable results. Performance Track members demonstrate in their daily business operations that

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economic prosperity and environmental protection can go hand in hand. Performance Track is open to facilities of all types, sizes, and complexity, public or private, manufacturing or service-oriented. Performance Track is designed to recognize facilities that consistently meet their legal requirements and have implemented high-quality environmental management systems. Performance Track encourages facilities to continuously improve their environmental performance and to work closely with their community and employees. Facilities applying to Performance Track must have: An EMS in place; a history of sustained compliance; a commitment to continuous environmental improvement; and a community outreach program. There are currently, as of January 2003, thirty-three New England facilities in Performance Track, including six in New Hampshire.

The states are important partners in Performance Track. New Hampshire participates in the following Performance Track activities: review of applications received from New Hampshire facilities, including compliance screens and recommendations for facility approval; to the extent possible - incentive delivery, including the low inspection priority incentive; monthly conference calls with EPA headquarters; periodic (one or two per year) site visits to ensure that Performance Track facilities meet program requirements; and occasional meetings with regions/Headquarters on program development.

## **L. Persistent Bioaccumulative Toxics**

Persistent bioaccumulative toxics, or PBTs, are a group of chemicals generally released into the environment at very low or even non-detectable levels, which cause serious health and environmental effects. PBTs break down very slowly in the environment, allowing their concentrations to build up in soils, sediments and plants. They bioaccumulate in animal and fish tissue mostly through diet, and increase in concentration as they move up the food chain to people. Exposure to these chemicals can cause numerous harmful health effects in plants, birds, mammals and humans, including reproductive and developmental disorders, suppression of the immune system, and cancer.

PBTs include a variety of chemicals such as mercury, dioxin, metals, and a number of pesticides and other organic chemicals. New Hampshire identified mercury and dioxin as serious PBTs and launched detailed strategies in 1998 and 2001, respectively, to reduce mercury and dioxin emissions in New Hampshire. Implementation of these strategies is well underway as described below. The role of the *New Hampshire Mercury Reduction Task Force* (a stakeholder workgroup created as part of the *New Hampshire Mercury Reduction Strategy*) has been expanded to include dioxin and other PBTs. In conjunction with the work of the Task Force, New Hampshire continues to evaluate and assess other PBTs and will prioritize and take action on those identified as being most serious.

### **Dioxin Reduction Strategy - (DES Contact: Rick Rumba)**

Dioxin is a group of highly-toxic compounds that can produce a broad range of adverse health effects, even at very low exposure levels. According to the EPA's *Draft Dioxin Reassessment*, the "body burden" of dioxin found in the general population today is at the level where these adverse health effects may occur, and despite the implementation of several recent state and federal regulatory initiatives for controlling dioxin, it is still being released and accumulating in our environment. In response, the DES initiated the *New Hampshire Dioxin Reduction Strategy* in March 2001. The *Strategy* identified the major sources of dioxin in the State, and put forth recommended actions to substantially reduce dioxin exposure for New Hampshire citizens. The results of the *Strategy* found that five major source categories were responsible for over 80% of dioxin emissions to the environment in

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New Hampshire. These five sources include not only industries, but also many activities that we as individuals conduct everyday, such as disposing of wastes, driving cars or trucks, and heating our homes. The *Strategy* made more than 50 recommendations to reduce dioxin from these sources, and focused on prompt action for two source categories: backyard trash burning and medical waste incineration. Since the release of the *Strategy*, dioxin emissions from these two source categories have been addressed through strict new emissions limitations on medical waste incinerators and new legislation that prohibits the practice of backyard trash burning in New Hampshire effective January 1, 2003. These two actions alone are expected to reduce dioxin emissions in the state by almost 50%.

Over the coming year, efforts to continue dioxin reductions in New Hampshire will focus on: 1) education and outreach to New Hampshire citizens regarding the new ban on backyard trash burning; 2) the introduction of new legislation to phase out the use of incineration as a mechanism for disposal of medical waste in the state, and; 3) cooperation with EPA New England regional office, as well as the New Hampshire Department of Agriculture and the New Hampshire Department of Health and Human Services, to coordinate regional dioxin reduction, exposure, and outreach efforts.

### **Mercury Reduction Strategy**

**(DES Contacts: Carolyn Russell, Stephanie D'Agostino, Tom Niejadlik)** - Approximately 98% of the mercury emitted in New Hampshire enters the environment through air-borne emissions from waste incinerators and the burning of coal and oil. Mercury deposition in the Northeast is occurring at a higher rate than most other regions of the country, due to its geographic location. Mercury deposited on the ground is washed into rivers and streams, accumulates in plants and is consumed by fish. Because mercury has numerous adverse human health effects, and bioaccumulates in the food chain, New Hampshire and 41 other states have issued health advisories on the consumption of freshwater fish. In addition, fish-eating wildlife such as loons, otter and mink are also adversely affected by mercury pollution.

To address these concerns, the *NH Mercury Reduction Strategy* was drafted by DES and released by Governor Shaheen in October 1998. The *Strategy* contains 40 recommended actions for reducing man-made releases of mercury to the environment and contains a goal of 50% reduction in mercury emissions by December 2003, with an overall goal of the virtual elimination of anthropogenic mercury releases. The recommendations address issues ranging from air emissions reduction from various sources to increased source reduction and recycling efforts. New Hampshire has completed a number projects contained in the strategy to address mercury reduction, as well as instituted sampling and monitoring efforts to measure environmental impacts of mercury contamination. To date, these efforts have resulted in a 45% reduction in mercury emissions, with a 55% reduction expected by 2003. Activities that DES is focusing on this year include legislative efforts to reduce mercury in consumer and commercial products and outreach to users of mercury and mercury devices such as hospitals, schools and dentists. In addition, the Department is actively involved in the implementation of the New England Governors and Eastern Canadian Premiers Mercury Action Plan, which is a regional and bi-national effort to virtually eliminate anthropogenic mercury releases.

**(EPA New England Contact: Jeri Weiss)** - Because of the substantial impact of mercury deposition on water bodies in New England, EPA New England has devoted substantial efforts in recent years to reduce mercury emissions, to reduce mercury in products which enter the waste stream, and to educate the public on the risks associated with consumption of mercury-contaminated fish. Our mercury work is conducted in coordination with the Mercury Task Force charged with implementing the New England

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Governors/Eastern Canadian Premiers Mercury Action Plan. Our mercury coordinator is very active in this mercury task force and also chairs a workgroup within the Region, by which the Region coordinates its own diverse mercury activities. In 2003, these EPA New England mercury activities will include: 1) supporting the existing mercury deposition network in New England; 2) continuing to support pollution prevention and assistance to schools on eliminating mercury and toxic chemicals in schools; 3) maintaining the Solid Waste Mercury Clearing House, which collects and distributes information on mercury bearing products; 4) working with U.S. Geological Survey to develop a refined Regional Mercury Model to estimate mercury loading to streams, rivers, lakes and coastal estuaries; 5) continuing to seek and obtain funding for mercury projects in the region, such as EPA's past support for NEWMOA's Mercury in Products Clearinghouse and the New England Aquarium's mercury outreach effort; 6) supporting education on discharges of mercury amalgam used in dentists' office; and 7) eliminating mercury from healthcare settings.

**M. Public Education, Outreach, and Participation - (DES Contacts: Tim Drew, Vince Perelli, DES Outreach Committee)**

One of the key principles of the National Environmental Performance Partnership System is effective public involvement in establishing goals and priorities for state environmental programs. This is very consistent with the Department's *Guiding Principles*, as well as its *Public Participation Policy*, which was adopted in December 2000. DES's public participation goals are as follows:

- DES will actively solicit public input and will consider the views of the agency's stakeholders and the general public in making decisions;
- DES will strive to ensure fair and equitable treatment of all New Hampshire citizens as it invites public participation in the implementation of state environmental statutes, rules, programs, and policies;
- In order to provide the opportunity for meaningful input, stakeholders will be brought into the process as early as possible;
- DES will, to the extent possible, provide data and analysis in a timely manner and in an understandable format to enhance the ability of stakeholders to participate constructively in the issue or issues under consideration;
- DES will respond in a complete and timely manner to requests under the New Hampshire Right to Know Law (RSA 91-A); and
- This policy will be consistently incorporated into the Department's programs, and DES will ensure that every DES employee understands and shares responsibility for the implementation of this policy.

Public education, outreach, and participation are important elements of any successful environmental agency and its associated programs. Unfortunately, such elements are often included as an after-thought, resulting in efforts that are reactively driven, rather than conducted in a proactive manner. Without a well-planned, advance outreach component and public participation process, programs,



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initiatives, and the agency overall, can run the risk of falling short of expected benefits.

The role of public education, outreach, and participation is especially critical as environmental regulation continues to shift from the traditional “command and control” regulatory approaches, to one that relies on voluntary, market-based incentives, innovative initiatives, and partnerships. This shift will require the business community and the citizens of New Hampshire to accept a greater shared environmental stewardship responsibility for participating in protecting and restoring the environment. Environmental managers responsible for developing and implementing programs need to reprioritize their efforts to ensure that public participation, education/outreach, and partnerships are not only included, but emphasized, as high priorities in all programs.

DES’s communication efforts exist in many forms - for example, print and electronic publications; websites; television, radio, news and weather broadcasts; conferences and workshops; exhibits and displays - and have many stakeholder audiences – legislators and government officials; business owners and industry representatives; educators and students; regional committee members; and the general public. Education and outreach efforts exist in varying degrees and with varying resources in many programs throughout the Department.

Overall, DES welcomes public participation in agency actions and discussions, and works hard to assure that public participation activities are offered during the development and implementation of all DES programs. DES is particularly effective at informing its stakeholders through public education and outreach via informational vehicles which emphasize getting information to interested parties on issues or topics of a more defined, media-specific nature. However, developing ways to better encourage public participation and to gather information from interested parties through intentional, two-way dialogue (and building the necessary in-house capacity to make this a reality) still remains a challenge for the 2003 – 2004 Performance Partnership Agreement. That is, DES will continue to work to improve in the area of disseminating information and obtaining feedback on issues/topics that are of a more strategic, multi-media, or “big picture” nature – (i.e., those having to do with the setting of department or state-wide environmental and/or public health priorities), and having this important information available at critical points in various decision-making processes (e.g., DES Strategic Planning and Performance Partnership Agreement Planning exercises). DES is interested in improving its organizational “listening skills,” as well as providing better access (electronic and otherwise) to the general public and the more formal stakeholder groups represented by official councils/boards, government agencies, academic institutions, trade associations, businesses, various non-governmental organizations.

During 2003 – 2004, DES hopes to devote greater attention to increasing and improving efforts to:

- Create and disseminate informational and educational outreach materials to stakeholders, the business community, and the general public;
- Convey DES’s mission, goals, programs, projects, events, accomplishments and environmental messages to the public via various media, including newspapers, radio, television, and the internet;
- Foster DES’s partnerships with New Hampshire businesses, municipalities, state agencies, the Legislature, environmental organizations, and other groups;

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- Initiate, coordinate, and participate in environmental conferences, workshops, hearings, and other public outreach forums, including a new, DES-sponsored statewide Environmental Forum;
  - Continuously improve and expand DES's website through an annual review process and under the direction of the DES Website Editorial Board; and
  - Create a new State Environmental Advisory Board to help provide input on DES Strategic Planning and Performance Partnership Agreement planning activities.

**N. Results-based Environmental Management – (DES Contacts: Vince Perelli, Chris Simmers, DES Measures Team) and (EPA New England Contacts: Trish Garrigan, Carl DeLoi)**

Results-based environmental management has seen significant advances in recent years at the New Hampshire Department of Environmental Services (DES) with the in-house development of an innovative database and management system designed to facilitate regular tracking, reporting, and analysis of a comprehensive set of performance and environmental measures across DES.

The Department's Oracle-based Measures Tracking and Reporting System, or MTRS, is part of an ongoing, concerted effort to develop appropriate performance measures and Environmental Indicators. The MTRS database was specifically designed to house, and link, DES's Strategic Goals and Objectives (i.e., "Where we are going" – *DES Strategic Goals and Objectives (2003-2007)*), to the program Activity and Deliverable Information (i.e., "How we will get there" – *DES Comprehensive Action and Assessment Workplan (FFY 2003)*, or the *Workplan*), which are further linked to all Outputs, Outcomes, and Environmental Indicators (i.e., "How we determine our progress" - *the Measures*).

A key feature of the MTRS is the "live" reporting function for Outputs, Outcomes and Environmental Indicators. The system is specially designed to track Outputs on a quarterly basis, with Outcomes and Environmental Indicators (once they have been adequately developed and staff accountabilities assigned as a result this Program Priority), to be tracked semi-annually or annually.

As previously outlined in Section I, the ever-evolving management system that relies on this database for improved programmatic and environmental decision-making, has at its core, three essential yet simple components: 1) the performance measures and Environmental Indicators must relate to the agency's strategic objectives; 2) staff and managers must use the MTRS as the basis for regular, two-way conversations focused on what is working, what is not working, and any necessary program adjustments; and 3) there is a specific staff member identified as the accountable person for each strategic objective, activity, and measure.

Phase I of the MTRS database project focused on designing, beta-testing, de-bugging, providing staff training and database access, and entering the core Program, Activity, and Deliverable information into the then fledgling database system. Through the efforts of many, Phase I was successfully completed during mid/late federal fiscal year 2001, allowing the federal fiscal year 2002 Performance Partnership Agreement workplan to be developed via the MTRS, with continuing database and management system refinements made throughout the whole of federal fiscal year 2002. Phase I was essential to putting the basic infrastructure in place to allow DES to further explore the benefits (and challenges) associated

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with regular tracking and reporting of a great deal of department-wide programmatic and environmental information. In short, the database has been operating well for over a year and a half, but greater attention needs to be placed on the quality of the data being entered and how the information is being used.

Phase II, which was first initiated as a result of the federal fiscal year 2002 Measuring Environmental Results Focal Point of Cooperation (Note: the term Program Priority has now replaced Focal Points in this Agreement) was the direct outgrowth of the realization that a database and associated management system are only as good as the information entered into the database and the quality of the measures used in the management reviews. Phase II also recognizes the fact that the Agency as a whole is still on a learning curve regarding how best to use the data collected and how to effectively develop and utilize appropriate and meaningful objectives and measures, particularly at the Outcome and Environmental Indicator levels. In Phase II, efforts were consciously shifted away from detailed database issues and re-focused on the measures themselves, and the process by which staff and management work with them to better inform decision-making.

During the last Agreement, an EPA New England staff detail was assigned to DES to assist the Measures Database Development Team with the development of a bureau/program-level training program on how to establish an appropriate set of environmental measures. In 2002 a training presentation was developed along with a process for working on improving measures at the program level. This pilot was completed with the Public Information and Permitting Program, and it was begun with Legal Unit, and the Solid Waste Management program - focusing on the Motor Vehicle Salvage Facility Initiative. Discussions have started with the Air permits program, and sprawl indicators are also being developed with groups outside DES.

Phase II, which will remain the focus for federal fiscal years 2003 – 2004, involves continuing training and development of a set of “key” program Outcome and Environmental Indicator measures which DES and EPA New England continue to commit to track and report on to a variety of audiences and for a number of purposes, as follows:

- Tracking environmental conditions and trends;
- Reporting to the public on key environmental indicators (in the form of a “New Hampshire State of the Environment Report;”
- Evaluating program performance;
- Informing priority-setting, resource allocation decisions, and Performance Partnership Agreement and Grant negotiations; and
- Reporting to the Governor’s Office and the Legislature as part of Performance-Based Budgeting.

Over the next two years, DES and EPA New England have agreed to continue to work cooperatively towards the overall objective of creating a concise set of program Outcome measures and Environmental Indicators for New Hampshire. Specifically, EPA New England staff will continue to work with the DES Measures Database Development Team to develop, and carry out, a training process

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for effectively engaging DES staff in discussions on appropriate Outcome measures and Environmental Indicators for their program areas. In 2003, the pilot measures project with EPA New England will be evaluated and adjusted as necessary, including:

- Completing the strategic planning components of MTRS which will, for the first time, allow DES to link the measurable objectives of the DES with the day-to-day work (i.e., the Deliverables comprising *DES Comprehensive Action and Assessment Workplan [FFY 2003]* presented in Section VI of this Agreement;
- Continuing quarterly reporting on measures by almost 200 DES staff representing almost all DES environmental and administrative support programs;
- Developing enhanced reporting capabilities for all internal and external purposes;
- Implementing a system of quarterly analysis, presentation of results by the DES Leadership Team to the DES Senior Leadership Team, establishing a schedule and process for quarterly meetings of the DES Senior Leadership Team focused on the results of this analysis, and identifying any appropriate program modifications and/or necessary reallocation of resources;
- Completing an environmental measures pilot using an EPA staff person assigned to DES to modify the MTRS, as necessary, with results of the pilot, and to develop in-house training program based on pilot; and
- Using EPA Network Readiness Grant funds to hire a measures contractor, and to design and initiate the exchange of measures results with EPA New England for core federal programs as basis for future PPA discussions.

**O. Security and Preparedness - (*DES Contacts: Harry Stewart, Tony Giunta, James Gallagher, Michael Guluszka*)**

In the aftermath of the tragic events of September 11, 2001, in partnership with other state and federal agencies, as well as New Hampshire's municipalities, DES continues to respond proactively to ensure tighter security, improved prevention, and better overall emergency preparedness.

DES has actively participated with other state agencies in the New Hampshire Anti-Terrorism Task Force, the Governor's Commission on Security and Preparedness, and a number of preparedness drills. These efforts have resulted in a higher level of statewide preparedness than ever previously existed, and will continue into the future.

The DES hazardous material team continues to work with the New Hampshire Department of Health and Human Services, the New Hampshire Fire Marshall's Office, the Office of Emergency Management and others to develop protocols and guidelines for responding to, and cleaning up, biological and chemical terrorism incidents and sites. In addition to actually responding to such incidents, DES hazardous material team members have been providing technical assistance to cleanup contractors and other local and state agencies.

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DES, in partnership with EPA New England, has sponsored five training seminars for water and wastewater professionals on emergency preparedness, including the first in New England. These seminars have been well received. We will continue to build on the information provided to the environmental professionals with further training, both general and at the site-specific level. New Hampshire's two largest water suppliers, serving the Manchester and Nashua areas, have just received grants from EPA of about \$100,000 to assess and improve emergency preparedness, and DES has received an EPA grant of \$306,100 to provide assistance to New Hampshire's smaller public water suppliers. The result will be continuously higher levels of preparedness for water suppliers across the state.

The DES Dam Bureau maintains a focus on compliance and preparedness activities for the State's 277 high and significant hazard (out of a total inventory of 3,258) water control structures. DES will continue to focus on the inspection and compliance of high hazard dams, and active communication with dam owners to maintain and improve the public safety of these dams.

***(EPA New England Contact: Arthur Johnson)*** - EPA New England will continue to coordinate closely with DES on emergency response and preparedness issues through routine communications, face-to-face meetings, and the bi-annual Regional Response Team meetings. EPA New England will continue to be ready to provide assistance for any and all chemical or oil emergency incidents. DES response personnel will be invited to participate in Weapons of Mass Destruction Training which will be offered by EPA New England in FFY 2003 in Maine and Vermont. This is the same training that was offered in New Hampshire immediately following their participation in the "TOPOFF 2000" exercise. DES and EPA New England will both participate in the New England-wide terrorism exercise, Operation Yankee, schedule to take place during FFY 2003. Once again, EPA New England will invite DES to send a representative to the annual EPA New England On-Scene Coordinator Readiness Training.

## **P. Site Remediation - *(DES Contacts: Carl Baxter, Fred McGarry)***

DES, which has a mature, integrated and risk-based remediation program, has worked cooperatively with EPA New England to focus the federal Pre-remedial, Brownfields, and Voluntary Clean-up programs on the "unresolved" non-NPL sites that have the greatest need while continuing to encourage private parties to perform voluntary clean-ups whenever possible. Over the past five years, DES and EPA New England have successfully combined duplicative federal and state programs that address the remediation of non-NPL (national priority list) hazardous waste sites. At the end of federal fiscal year 2002, of the 743 hazardous waste sites discovered since the early 1980's, 69% (512 sites) have been resolved (either closed or permitted). For 2002, DES resolved four times as many sites as newly-discovered ones. Of the 743 above sites, eighteen are on the NPL. The Superfund Program in New Hampshire has matured to the point now where fifteen of the sites are in the remedial action phase, two sites are in the cleanup design phase, and one is in the development of clean-up alternatives phase. One additional site has been proposed for listing on the NPL and has been awarded partial funding.

### ***(EPA New England Contact: Mike Jasinski)* - Superfund**

- DES continues to be a strong partner in the Superfund program. EPA New England has two sites in the queue for listing, Troy Mills and Mohawk Tannery. Also, several sites are awaiting Remedial Action funding from EPA Headquarters: New Hampshire Plating, Mohawk, and Troy Mills. All other site work is progressing well. There are four very active sites that are progressing well with full DES support: Fletchers Paint, Savage, Beede, and Dover Landfill.

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- At Dover, we are awaiting the town's (and other potentially responsible parties') Feasibility Study. Currently, they are planning to propose a change in the remedy to an innovative air sparging wall, although there may be technical issues with the full-scale implementation of this plan. EPA New England and DES are hopeful that these issues can be effectively resolved. In the near future, EPA New England will be working with DES to reach consensus on how to proceed on this site.

**Q. Sprawl/Smart Growth - (DES Contacts: Carolyn Russell, Ken Kettenring)**

Addressing sprawl and supporting smart growth continue to be priorities for DES. The NAFTA (North America Free Trade Agreement) report *The North American Mosaic: A State of the Environment Report* (Commission for Environmental Cooperation, 2001, p14) reports that New Hampshire, Maine, and New Brunswick are the only three states/provinces/territories in North America with more than 80% of the land in forest. The Department recognizes the major role of forest lands to the environmental and economic health of New Hampshire, and is concerned by the continuing loss of large unfragmented blocks of critical wildlife habitat. DES will continue to review its rules and policies to ensure that they do not promote sprawl, or penalize the continued existence of so called "working lands" that are in forest management or agriculture. Smart growth is a significant component of the DES mission to "help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire." Coordination with other departments and agencies on issues relative to sprawl, biodiversity, and other broad-scale long-term term planning issues will remain a DES priority during the 2003 – 2004 Performance Partnership Agreement period. The Department's efforts will include continued education, participation in cooperative community outreach projects, and the promotion of infrastructure and transportation alternatives that promote a better use of our lands while reducing the impact of growth on clean air and clean water.

**R. Upgrade of New Hampshire's Ambient Air Monitoring Network**

*(DES Contact: Kent Finemore)* - Over the last two years, DES has been working to organize its ambient air monitoring network in an effort to optimize operational efficiency and the scientific value of environmental and public health data generated through the network. In pursuit of these program objectives, DES has purchased state-of-the-art data loggers to replace outdated equipment, new calibration apparatus, improved tracking of equipment maintenance and parts inventories, reorganized personnel, consolidated sites and monitoring equipment to the extent practicable, removed monitors that are providing little in the way of new insight, and researched automation of certain processes to reduce the number of required site visits. While considerable progress has been made, there remains equipment that is outdated and/or in disrepair, and further modifications to the network which need to be addressed over the next two years, including replacement of meteorological instrumentation and pollutant monitors, upgrade and maintenance of shelters, and enhancement of utilities service. Near-term projects include establishment of a new monitoring station at the Seacoast Science Center at Odiorne State Park to replace existing sites in Kittery and Rye, and consolidation of monitoring stations in Portsmouth.

In addition to the focus on the operation and efficiency of the air monitoring network, DES has enhanced its emphasis on the role of air monitoring in public education and outreach. DES participates in regional mapping and forecasting initiatives for ozone and particulate matter; this has a direct impact in predicting unhealthy air quality and informing at-risk populations. Further, DES has implemented improvements to its website to include real-time ozone and particulate matter data and detailed explanations of air pollution events and air quality action days. DES also uses monitoring sites as venues for facilitating media inquiries and requests for educational assistance.

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The consolidation and enhancement of New Hampshire's air monitoring network is consistent with EPA's new National Air Monitoring Strategy. With EPA assistance, support and approval, DES can insure that the New Hampshire air monitoring network provides the most efficient and effective system for obtaining multi-faceted air quality information that responds to public health needs and can be reported to the public in a timely manner.

**(EPA New England Contact: Alan VanArsdale)** - EPA New England's Office of Environmental Measurement & Evaluation (OEME) commitments to the DES Air Resources Division Air Quality Monitoring Program include:

- Conducting a Technical Systems Audit of the Air Quality Monitoring Program during 2003. The purpose of this routine audit is to provide DES managers and staff with feedback on how they may better operate their overall air quality monitoring program;
- Continuing to provide PAMS, criteria pollutant, and air toxics program technical support to the Air Quality Monitoring Program;
- Continuing to assist DES in reassessing and deploying air monitoring sites in the state. This assistance will help the State optimize the location of its air monitoring sites in order to protect the public health and the environment and to provide quality data for regulatory and scientific activities;
- Continuing to assess air quality data produced by DES help guide regional and New Hampshire air quality network design; and
- Providing a liaison to EPA Headquarters for DES Air Quality Monitoring Program efforts, where appropriate.

## **S. Water Quality - (DES Contact: Paul Currier)**

New Hampshire continues to focus on the watershed approach for management and planning to solve water quality and ecosystem problems, and to protect natural resources through a partnership of DES, other state agencies, the University of New Hampshire, and local watershed groups. By combining forces and resources, watershed-related teams are overcoming old barriers and realizing new opportunities. This approach continues to evolve as it is employed for programs that involve water quality monitoring and assessment, nonpoint source pollution management projects under the Section 319 program, planning, and resource management. Three high priority programs for implementation in 2003-2004 are described briefly below:

**Water Quality Assessment [305(b) Report and 303(d) List] and Analysis [TMDLs]:** Informed action at the watershed level to restore and protect designated uses of waterbodies requires water quality monitoring and assessment coordinated with implementation of restoration and protection projects. Total maximum daily load (TMDL) studies continue to be performed on impaired waterbodies, identifying specific causes of impairment that are then eliminated through restoration projects that may include both point sources (NPDES permittees) and nonpoint sources. DES has just completed an enhanced assessment and listing process, on-line for the first time, based on publicly-available, quality-

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controlled data. DES and EPA New England will continue to improve on the monitoring process and implement priority-based TMDLs for point and nonpoint sources.

**Public Beach Monitoring Program:** DES has operated and managed a Public Beach Inspection Program for over 20 years in which DES personnel inspect known public fresh and coastal beaches within the state on a regular basis. DES also has a beach advisory notification system that alerts the appropriate officials if a public beach fails to meet the state standard, resulting in beach posting or closure. For 2003 and 2004, DES will take full advantage of EPA New England funding and initiatives to enhance the state coastal beach program and improve on our beach advisory system. The primary focus will be to accomplish several tasks: 1) Update and expand the current sampling program to determine future sampling protocols; 2) establish a wet-weather sampling program to determine the extent and source of watershed pollutants to beaches; 3) enhance the current public advisory notification system throughout the state; and 4) complete the BEACH database consistent with the EPA New England beach quality database.

**(EPA New England Contacts: Matt Liebman, Warren Howard)** - EPA New England will provide financial support and work with the State of New Hampshire in the following ways:

- Work with state and local environmental and public health agencies to ensure they monitor water quality at beaches, assess sources of pathogens, and notify the public of water quality conditions;
- Work to control non-point and storm water pollution sources; eliminate cross- connections (including illicit connections) between wastewater and storm water;
- Establish “Flagship” Beaches program to highlight beaches serving as regional “role” models meeting EPA performance criteria;
- Promote high quality monitoring and assessment methods for bacteria indicators and pathogens;
- Promote information transfer and public notification of beach water quality conditions; and
- Involve the public and municipalities in pollution control, monitoring and advocacy.

**Shellfish Program:** In 2002, DES received classification program approval by the U.S. Food and Drug Administration for compliance with the National Shellfish Sanitation Program (NSSP). This demonstrates that this is an effective shellfish monitoring program and paves the way for commercial shellfish harvesting and/or aquaculture in the state. Shellfish water classifications are used to determine if growing waters are safe for human consumption of molluscan shellfish. Utilizing NSSP guidelines and standards, the two-person Shellfish Program is engaged in several activities including the regular monitoring of shellfish growing waters for bacteria, Paralytic Shellfish Poisoning toxin, and other parameters. DES is in the midst of a five-year program to classify all growing waters by 2005, including the completion of sanitary surveys for Little Harbor/Back Channel, Hampton/Seabrook Harbor (which is also a TMDL study area), Great Bay/Little Bay, the Bellamy River and the Piscataqua River. These sanitary surveys not only provide updated information on water quality in the growing areas, but also generate a list of pollution sources which are then targeted for water quality restoration efforts.



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## **T. Wetlands Program - (DES Contact: Collis Adams)**

Over the last several years, Wetlands Program performance has significantly improved. In January 2002, a Wetlands Bureau Management Strategy was developed to establish clear integrated goals and action items to continue long-term program improvement. This strategy contains the following six goals:

- Educate New Hampshire landowners, contractors, municipalities, businesses, consultants and the general public about the value of wetlands and about the Wetlands Program's jurisdiction and the procedures and rationale behind the federal and state regulations;
- Ensure timely, consistent and technically-appropriate decisions on permitting and compliance issues;
- Improve turnaround time for Bureau review of new applications;
- Continue to improve and streamline the wetlands rules for fairness, accessibility, and consistency;
- Improve compliance with the wetlands and shorelands laws and with permit conditions issued by the Department; and
- Improve customer service.

DES has improved program performance by focusing on priority activities within each of these categories. In the last year, the Wetlands Bureau conducted education and outreach activities to over 5,000 people including professionals, contractors and the public. The Bureau received 2267 applications and notifications, 98% of which were approved and of which only 2% were denied or not issued a permit. DES has also improved permit decision processes for major public works projects that have recently been successfully implemented for a number projects including the Cocheco River dredge in Dover, Langley Parkway in Concord and Troy Bypass reconsideration decision. By implementation of streamlining measures and tighter management controls, turnaround time on most projects has been reduced substantially. DES also has a number of rules in process to further streamline permitting processes such as permit-by-notification for specific types of smaller projects. Also, five bills became law during the 2002 legislative session that improved the wetlands and shoreland protection programs. DES initiated a project to provide real-time public access to information on the status of wetlands applications and permitting decisions ([www.des.state.nh.us/wetlands](http://www.des.state.nh.us/wetlands), "Wetlands Permit Query"). The Wetlands Program also responded to more than 400 incoming e-mail messages sent to the "wetmail" address, [wetmail@des.state.nh.us](mailto:wetmail@des.state.nh.us) and provided assistance on "walk-in" requests by assigning staff specifically to this activity. The Wetlands Bureau also participated with other state agencies and volunteers in a number of projects on the Seacoast and inland rivers to restore wetlands impacted years ago by road construction or other activities.

While progress has been made, there is still much to do to improve the Wetlands Program. DES will continue to focus on the accomplishment of activities within the framework of the management strategy for long-term program improvement. DES will also focus on resolving a significant funding shortfall in the wetlands fee account to stabilize funding to ensure that performance improvement trends can be maintained.

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**Performance Partnership Agreement  
for Federal Fiscal Years 2003 - 2004**

***Section IV***

***Execution of the Agreement  
Between DES and EPA New  
England***

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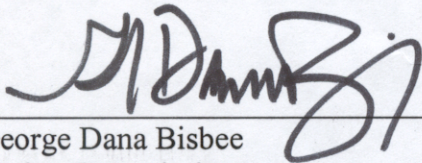
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## EXECUTION OF THE AGREEMENT

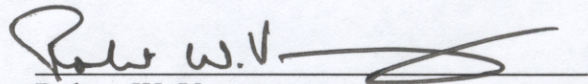
This document is the federal fiscal year 2003 – 2004 Performance Partnership Agreement between the New Hampshire Department of Environmental Services and the Environmental Protection Agency New England. This Agreement is consistent with the principles embodied in the May 17, 1995 Agreement between the Environmental Protection Agency and the Environmental Council of the States regarding a joint commitment to reform oversight and create a National Environmental Performance Partnership System.

The Agreement covers federal fiscal years 2003 – 2004 (from October 1, 2002 to September 30, 2004). The Agreement will be reviewed and modified as necessary during federal fiscal year 2003.

The undersigned parties execute this Performance Partnership Agreement between the New Hampshire Department of Environmental Services and the Environmental Protection Agency New England for federal fiscal years 2003 - 2004.



George Dana Bisbee  
Acting Commissioner  
N.H. Department of Environmental Services  
6 Hazen Drive, P.O. Box 95  
Concord, NH 03302-0095



Robert W. Varney  
Regional Administrator  
U.S. EPA Region I - New England  
1 Congress Street, Suite 1100  
Boston MA 02114-2023

This, the 14<sup>th</sup> day of January, 2003.

This, the 18<sup>th</sup> day of March, 2003.



Robert Monaco  
Acting Commissioner  
N.H. Department of Environmental Services  
6 Hazen Drive, P.O. Box 95  
Concord, NH 03302-0095

This, the 17<sup>th</sup> day of April, 2003.



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**Performance Partnership Agreement  
for Federal Fiscal Years 2003 - 2004**

***Section V***

***DES Strategic Goals and Objectives  
(2003 – 2007)***

# DES Draft Strategic Goals and Objectives (2003 - 2007)

## 1. Clean Air

The air we breathe in New Hampshire is safe and healthy for all citizens, including those most vulnerable, and our ecosystems are free from the adverse impacts of air pollution.

- 1.1** Reduce emissions of criteria pollutants and achieve or maintain mandated air quality standards for the protection of public health and the environment.
  - 1.1.2** Reduce nitrogen oxide (NOx) emissions from utilities during ozone season by 75% below 1990 levels by May 2003, and annually by 70% below 1999 levels beginning in 2007. Contact: FONTAINE, JOSEPH
  - 1.1.1** Maintain attainment of the one-hour ozone standard annually. Contact: FINEMORE, KENT
  - 1.1.3** Fully implement New Hampshire's NOx emissions reduction programs (NOx Budget Trading Program, NOx Emissions Reduction Fund and NOx Emissions Reduction Credits Trading Programs) by November 2007. Contact: FONTAINE, JOSEPH
  - 1.1.4** Submit eight-hour ozone attainment demonstration by January 2008. Contact: FINEMORE, KENT
  - 1.1.5** Reduce annual sulfur dioxide (SO2) emissions from utilities by 87% below 1999 levels beginning in January 2007. Contact: FONTAINE, JOSEPH
  - 1.1.6** Evaluate attainment status for fine particulate matter (PM) and submit required state implementation plans (SIPs), including control measures for both fine PM and regional haze if necessary. Contact: FINEMORE, KENT
  - 1.1.7** Maintain attainment with the carbon monoxide (CO) standard in Manchester and Nashua annually, according to New Hampshire's CO Re-designation and Maintenance Plan. Contact: FINEMORE, KENT
  - 1.1.8** Reduce emissions from mobile sources and control growth in vehicle miles traveled. Contact: FINEMORE, KENT
- 1.2** Reduce energy use to minimize emissions of greenhouse gases and to help prevent adverse changes to the global environment.
  - 1.2.1** Reduce and cap carbon dioxide (CO2) emissions from utilities at 1990 levels beginning in 2007, and at lower levels beginning in 2011. Contact: FONTAINE, JOSEPH
  - 1.2.2** Reduce greenhouse gas (GHG) emissions annually from businesses beginning January 2003 by voluntary implementation of the New Hampshire GHG registry program. Contact: MORIN, JOANNE
  - 1.2.3** Reduce air emissions by supporting and implementing local, statewide, and regional programs to enhance and promote energy efficiency. Contact: MORIN, JOANNE
- 1.3** Reduce emissions of hazardous and toxic air pollutants, including persistent bioaccumulative toxics (PBTs) such as mercury and dioxin, in order to ensure the protection of public health and environmental quality.
  - 1.3.1** Reduce statewide mercury emissions in New Hampshire by 50% below 1997 levels by December 2003. Contact: NIEJADLIK, THOMAS
  - 1.3.2** Reduce statewide dioxin emissions in New Hampshire by 50% below 1999 levels by January 2004. Contact: RUMBA, RICHARD
  - 1.3.3** Complete an assessment of other critical PBTs by January 2005 and determine what (if any) other PBT emission reduction strategies are necessary. Contact: NIEJADLIK, THOMAS
  - 1.3.4** Evaluate strategies for reducing air toxic pollutants, including addressing mobile sources and re-evaluating existing Air Toxics Control Program (Env-A 1400), and make recommendations for changes by December 2003. Contact: NIEJADLIK, THOMAS
- 1.4** Maintain and improve data collection and analysis capacity, including monitoring, forecasting, and emissions inventories.
  - 1.4.1** Consolidate and enhance air-monitoring activities for optimum scientific and operational efficiency, including an increased emphasis on opportunities for public outreach, through December 2008. Contact: FINEMORE, KENT
  - 1.4.2** Complete the Air Toxic Monitoring Program for the New Hampshire Health Study Project associated with Public Service Company of NH - Merrimack Station in Bow by January 2004. Contact: RUMBA, RICHARD
  - 1.4.3** Prepare quality improved emissions inventories for public use and to meet federal regulatory requirements. Contact: MONROE, PAMELA
  - 1.4.4** Enhance modeling capabilities by December 2003 to better predict emissions impacts. Contact: UNDERHILL, JEFFREY



# DES Draft Strategic Goals and Objectives (2003 - 2007)

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## 1. Clean Air      Cont.

- 1.5** Develop, implement, and manage programs and strategies that: 1) are based on the most recent scientific/health information on air pollution; 2) include broad geographic efforts and influences, 3) are built on market-based economic incentives, and 4) meet federal requirements.
  - 1.5.1** Improve the efficiency of the permitting process to ensure that permits are processed and issued within specified and reasonable time frames, while ensuring the most effective control of air pollutants. Contact: WRIGHT, CRAIG
  - 1.5.2** Evaluate federal New Source Review Reform Package and adopt or modify for New Hampshire by January 2004. Contact: WRIGHT, CRAIG
  - 1.5.3** Process single source state implementation plan (SIP) revisions (Air Permitting Program), as needed. Contact: WRIGHT, CRAIG
  - 1.5.4** Reduce transport of air pollutants into New Hampshire by providing technical and policy analyses as necessary on regional and national air quality issues, and by supporting effective regional and national reduction strategies. Contact: BODNARIK, ANDREW
- 1.6** Provide compliance assistance to businesses in New Hampshire and ensure that compliance monitoring and enforcement activities are consistent, appropriate, and timely.
  - 1.6.1** Continue to implement existing programs (i.e., Printsteps Program fully implemented by January 2004 and the Automotive and Dry Cleaners Programs fully implemented by January 2005) under the Small Business Technical Assistance Program to assist small businesses with compliance obligations by January 2005. Contact: CARTIER, JR., RUDOLPH
  - 1.6.2** Develop a strategy to target areas and industry sectors in need of compliance assistance by July 2003, and review strategy annually. Contact: MONROE, PAMELA
  - 1.6.3** Develop an on-line permit application system by December 2003. Contact: WRIGHT, CRAIG
  - 1.6.4** Identify and implement all enforcement actions for air pollution violations in accordance with EPA's "Timely & Appropriate Enforcement Response to High Priority Violations," and as suggested by the DES Compliance Assurance Response Policy, on an on-going basis. Contact: MONROE, PAMELA
  - 1.6.5** Conduct full compliance evaluation inspections of Title V sources every two years and synthetic minor sources every five years in accordance with the federal Compliance Monitoring Strategy. Contact: MONROE, PAMELA
- 1.7** Increase public awareness of air quality and promote a sense of shared responsibility among New Hampshire businesses, industries, and citizens for addressing air quality issues.
  - 1.7.1** Establish a Division Outreach Plan to identify needs and activities by program area (i.e., permitting, compliance and enforcement, mobile sources, air quality forecasting and reporting, monitoring, and misc.), including mechanisms for outreach to educators and the media, by December 2003. Contact: BROCKETT, KATHLEEN
  - 1.7.2** Initiate, promote, expand, and maintain voluntary programs to help reduce pollution from mobile sources. Contact: BROCKETT, KATHLEEN
  - 1.7.3** Communicate air quality information to the public, including current and predicted air quality levels, to allow people, especially at-risk populations, to adjust for health impacts. Contact: BROCKETT, KATHLEEN

# DES Draft Strategic Goals and Objectives (2003 - 2007)

## 2. Clean Water

All of New Hampshire's lakes and ponds, rivers and streams, coastal waters, groundwater, and wetlands are clean and support healthy ecosystems, provide habitats for a diversity of plant and animal life, and support appropriate uses.

### 2.1 Maintain and improve the quality of New Hampshire's surface waters in order to fully support appropriate ecosystem and anthropogenic uses.

- 2.1.1** During the next 5 year period (2003-2007), reduce the rate of infestations of new water bodies by exotic plants by 50%, relative to the rate of new infestations during the previous 5-year period. Contact: SMAGULA, AMY
- 2.1.2** By January 2007, reduce the percentage of inspected beaches with closures/postings by 30% over the percentage of beaches with closures/postings during the previous 5 year period. Contact: CONNOR, JODY
- 2.1.3** By January 2007, develop comprehensive lake management plans for two lakes. Contact: COLBURN, JACQUIE
- 2.1.4** By January 2007, develop draft numerical biocriteria for Aquatic Life Use Support determinations in wadeable streams. Contact: NEILS, DAVID
- 2.1.5 \*** By January 2005, develop numerical nutrient criteria for lakes, rivers, and estuaries. This may require additional resources for monitoring and data analysis. Contact: COMSTOCK, W. GREGG
- 2.1.6 \*** By January 2007, increase the number of lakes participating in Volunteer Lakes Assessment Program (VLAP) from 150 (in 2002) to 175. Contact: LAMOREAUX, ANDREA
- 2.1.7** By January 2006, survey and classify the remaining 50% of unclassified shellfish growing waters. Contact: NASH, WILLIAM
- 2.1.8** By January 2004, implement a water quality database management system that is compatible with STORET, is capable of housing all ambient water quality data generated or managed by DES, and can be used to share data with other local, state, and federal agencies and organizations. Contact: SOULE, DEBORAH
- 2.1.9** By January 2005, have a coordinated public documented process for assigning "uses" to waterbodies. Contact: COMSTOCK, W. GREGG
- 2.1.10** By December 2007, complete an indexed, GIS-based, statewide waterbody catalog for tracking and reporting water quality characteristics for multiple programs. Contact: COMSTOCK, W. GREGG
- 2.1.11 \*** By January 2008, 50% of NH waterbodies will be assessed for aquatic life and primary contact recreation, including lakes, rivers, and estuaries. Contact: COMSTOCK, W. GREGG
- 2.1.12** By January 2007, increase from 56% to 75% the percentage of surface water supply sources protected by source-specific rules. Contact: SUSCA, PAUL
- 2.1.13** By January 2007, 5 public water suppliers will be implementing comprehensive source protection plans for surface sources. Contact: SUSCA, PAUL
- 2.1.14** By January 2005, 100% of water users developing new withdrawals permitted by DES will be on a prescribed path toward implementing state water efficiency practices. Contact: KERNEN, BRANDON
- 2.1.15** By the March 2003 federal deadline, 26 of the 45 regulated communities regulated under National Pollutant Discharge Elimination System (NPDES) Stormwater Phase II Rules, have submitted a Notice of Intent under the EPA General NPDES Permit. Contact: WILLIAMS, ERIC

# DES Draft Strategic Goals and Objectives (2003 - 2007)

## 2. Clean Water Cont.

- 2.2** Ensure and improve compliance of municipal and industrial point source discharges with the State's Surface Water Quality Rules and Federal NPDES Permits in a cost-effective manner.
- 2.2.1** By January 2005, reduce the percentage of wastewater treatment facilities that are in significant noncompliance (as defined in 40 CFR 123.45), or on the exceptions list (two or more quarters in significant non-compliance) to less than five percent. Contact: DUCHARME, SHARON
  - 2.2.2** Through the end of 2007, ensure that all municipalities requesting State Revolving Funds for eligible projects receive them. Contact: MCMENNAMIN, GEORGE
  - 2.2.3** Through the end of 2007, ensure that all municipalities requesting State Aid Grants for eligible projects receive them. Contact: SNELL, STEPHEN
  - 2.2.4** Ensure that all Publicly-Owned Treatment Works (POTWs) will have appropriate grade levels and operators with current certifications appropriate to the POTW. Contact: NEILL, GEORGE
  - 2.2.5** By January 2007, provide the means through rules and financial incentives to increase the number of wastewater treatment facilities (WWTFs) using class A sludge treatment from 7 facilities to 10 facilities. Contact: FLANDERS, RICHARD
  - 2.2.6** By January 2007, expand annual septage capacity at WWTFs from 40 million gallons to 48 million gallons. Contact: HANNON, PATRICIA
  - 2.2.7 \*** By January 2005, incorporate operational data for all POTWs into the electronic compliance tracking database so that seasonal or potential problems at POTWs can be addressed. Contact: DUCHARME, SHARON
  - 2.2.8** By January 2007, increase the percentage of WWTFs with a current (NPDES)/state permit from 50% to 80%. Contact: BERLANDI, GEORGE
  - 2.2.9** By January 2006, develop and document formal, improved procedures for identifying and cataloging all point source discharges in the state. Contact: BERLANDI, GEORGE
- 2.3** Implement a watershed management approach to restore and protect water quality and uses at the watershed level.
- 2.3.1** By December 2003, develop a watershed management approach for prioritizing DES resource allocation to communities for restoration and protection. Contact: CURRIER, PAUL
  - 2.3.2 \*** By June 2005, complete watershed management plans for 10 of the eighty-one 10-digit hydrologic unit code (HUC) watersheds in NH. Contact: CURRIER, PAUL
- 2.4** Run a safe and efficient operation (and in accordance with state and federal requirements) at the Winnepesaukee River Basin Project (WRBP), a sewage and waste treatment facility owned and operated by DES, serving municipalities within the Winnepesaukee River Basin.
- 2.4.1** To operate WRBP facilities with zero (0) violations of the WRBP's several environmental permits. Contact: MONTI, RANDOLPH
  - 2.4.2** To operate WRBP facilities with zero (0) accidents/injuries, and zero (0) reported "near accidents." Contact: MONTI, RANDOLPH
  - 2.4.3** To operate WRBP facilities with annual increases in costs to its member communities less than the consumer price index (CPI) index increase for that year. Contact: MONTI, RANDOLPH
  - 2.4.4** Ensure compliance of industries holding WRBP Industrial Discharge Permits (IDPs) with Categorical Pretreatment Standards and WRBP discharge limitations. Contact: MONTI, RANDOLPH

# DES Draft Strategic Goals and Objectives (2003 - 2007)

## 3. Safe Drinking Water

All drinking water in New Hampshire will always be safe, available and conservatively used.

### 3.1 Ensure that Public Water Systems (PWSs) provide safe drinking water in accordance with the Safe Drinking Water Act.

- 3.1.1** By January 2007, 5000 acres of source water protection area lands will be protected via fee simple acquisition or conservation easement. Contact: GODLEWSKI, SHARON
- 3.1.2** By January 2007, 95% of the public water supply sources will have some type of source protection measures in place. Contact: SUSCA, PAUL
- 3.1.3 \*** By December 2004, develop a priority-based system and increase by 25 percent the number and scope of sanitary surveys and inspections for small public water supplies. Contact: GILL, JAMES
- 3.1.4 \*** By January 2004, reduce by 50% the current number of significant deficiencies at small PWSs that are listed as needing to be corrected. Contact: GILL, JAMES
- 3.1.5** Maintain an effective program of large system sanitary surveys and technical assistance to ensure public water system compliance with standards for adequacy of supply and water quality. Contact: MANN, ROBERT
- 3.1.6** Maintain an effective PWS financial assistance program of existing infrastructure and emerging federal drinking water requirements. Contact: SKARINKA, RICHARD
- 3.1.7** By summer of 2003, develop a Water Supply Engineering Bureau (WSEB) response protocol to an actual or threatened disruption/attack to a public water system. Contact: MCKENNA, JOHNNA
- 3.1.8** By summer of 2003, implement a system to ensure that within 30 days of receipt of all large PWS design submittals, either comments are provided or approvals issued, and approvals are integrated with other WSEB programs. Contact: MANN, ROBERT
- 3.1.9** By January 2004, develop a program to promote continued regional water supply cooperation and consolidation of small water systems for enhanced security and system viability. Contact: MANN, ROBERT
- 3.1.10** By December 2006, improve WSEB public water supply data quality and information access and availability both internally and externally by reevaluating and revamping WSEB's data systems, increasing by 50% (from a July 2002 baseline) the amount of information available (and web "hits" to) the WSEB portion of the DES website. Contact: CULLEROT, LAURIE
- 3.1.11** By January 2005, fulfill the objectives of DES's 2000 Capacity Development Strategy. Contact: SAN ENGINEER II
- 3.1.12** By April 2004, ensure that public water systems are operated by certified operators as appropriate, registrations for non-transient PWSs are in place, and all certified operators are adequately trained via a revised operator training program to be developed by March 2003. Contact: MACKEY, HARRISON
- 3.1.13** Maintain an effective Consumer Confidence Report (CCR) program which is meaningful to customers of public water systems and fulfills the requirements of the federal program. Contact: THAYER, RICHARD
- 3.1.14** Ensure that all federal and state rules are adopted in a timely fashion and all relevant EPA primacy packages are completed on schedule. Contact: MAKOSKY, SELINA
- 3.1.15** Implement comprehensive permit-to-operate program Contact: GIUNTA, ANTHONY

### 3.2 Ensure that an adequate quantity of drinking water is available and is conservatively used.

- 3.2.1** By January 2006, state agencies will be implementing conservation measures. Contact: KERNEN, BRANDON
- 3.2.2** By January 2007, develop and implement a water recharge enhancement and reuse program. Contact: KERNEN, BRANDON

### 3.3 Provide increased assurance that drinking water from residential wells is safe to drink.

- 3.3.1** On an annual basis: 1) provide at least 12 educational classes explaining the private well strategy to all stakeholders in the real estate industry including: bankers, mortgage companies, realtors, home inspectors, well drillers, and pump installers; and 2) develop 5 additional educational fact sheets on the web which are used to aid in resolving most drinking water problems. Contact: LUCEY, BERNARD
- 3.3.2** Annually, conduct at least 5 DES field investigations of areas with contaminants not otherwise pursued by other DES programs including: radionuclides, arsenic, beryllium, fluoride, nitrate, sodium, chloride. Contact: LUCEY, BERNARD
- 3.3.3** By January 2005, all New Hampshire's cities and towns will have been contacted and informed on how to take a more active role in promoting the private well strategy. Contact: LUCEY, BERNARD

# DES Draft Strategic Goals and Objectives (2003 - 2007)

## 4. Proper Waste Management & Effective Site Remediation

Promote responsible waste management and ensure wastes/regulated materials are properly handled and disposed. Conduct prompt remediation to restore contaminated sites to productive use while protecting the environment and public health.

- 4.1** Minimize waste volumes and toxicity through programs, policies and rules which extend waste management capacity and minimize exposure to persistent, bioaccumulative and toxic (PBT) chemicals.
  - 4.1.1** \* By December 2003, DES will propose a new solid waste recycling/diversion goal. Contact: WAY, CHRISTOPHER
  - 4.1.2** \* By January 2007, develop and implement a program to decrease the generation, and increase the diversion of, commercial solid waste. Contact: WAY, CHRISTOPHER
  - 4.1.3** By January 2007, increase by 30% the composting and other diversion of food wastes. Contact: MORGAN, MARC
  - 4.1.4** By January 2005, increase the cost effectiveness and management efficiency of Household Hazardous Waste (HHW) collection projects. Contact: WHEELER, MELANIE
  - 4.1.5** By January 2005, ensure that all political subdivisions have access to a Do-It-Yourself (DIY) used oil collection center. Contact: PROSPERT, TIMOTHY
  - 4.1.6** By January 2007, reduce by 10% the generation of hazardous waste in selected industry sectors through pollution prevention initiatives and improved management systems. Contact: LOCKWOOD, PAUL
  - 4.1.7** By January 2007, the DES Waste Management Division (WMD) shall implement a hazardous waste recycling program to promote the beneficial reuse of hazardous secondary materials. Contact: BONNER, WENDY
  - 4.1.8** By January 2006, in coordination with regional and national organizations, develop a strategy for increased volume source reduction in products and packaging. Contact: YERGEAU, SHARON
  - 4.1.9** By January 2004, reduce by 50% by weight (baseline year of 2000) red bag (infectious) wastes from NH acute healthcare facilities. Contact: JOHNSON, SARA
- 4.2** Effectively manage Superfund, non-Superfund, and Brownfield contaminated site discovery, evaluation, and response processes in order to protect public health and the environment.
  - 4.2.1** By January 2007, close 45 of the remaining 56 upcapped, post-1981 unlined landfills. Contact: ROUSSEAU, DAVID
  - 4.2.2** By January 2012, complete 6 Superfund active remedial actions. Contact: BAXTER, CARL
  - 4.2.3** By January 2012, delist 2 Superfund sites. Contact: BAXTER, CARL
  - 4.2.4** By January 2005, reduce timeframe for oil contaminated site discovery to closure by 10%. Contact: LOMBARDO, GEORGE
  - 4.2.5** By January 2005, reduce time between hazardous waste contaminated site discovery and initial remedial action by 25% . Contact: REGAN, JOHN
  - 4.2.6** By January 2005, reduce the number of dormant hazardous waste and oil contaminated sites by 70% for hazardous waste sites, and 90% for oil sites. Contact: LYNN, GARY
  - 4.2.7** By September 2003, obtain competitive EPA grant(s) to ensure that DES can conduct at least 5 Brownfield site assessments each year through 2006. Contact: WIMSATT, MICHAEL
  - 4.2.8** By July 2003, augment participation in the Brownfields covenant program under RSA 147-F such that at least 5 new participants enter the program each year through 2006. Contact: WIMSATT, MICHAEL
  - 4.2.9** By July 2003, develop and implement a marketing plan for the Revolving Loan Fund (RLF) program to ensure that at least \$250,000 in loans are made each year through 2005. Contact: WIMSATT, MICHAEL
  - 4.2.10** By July 2003, develop and launch a full-service DES Brownfields website that provides downloadable information and forms regarding all DES Brownfields initiatives and describes past successes. Contact: WIMSATT, MICHAEL
  - 4.2.11** By July 2003, develop and publish a DES Brownfields report that provides an overview of all DES Brownfields initiatives and describes past Brownfields success stories. Contact: WIMSATT, MICHAEL
  - 4.2.12** By 2006, reduce the number of uncontrolled asbestos sites by 80% to assure prevention of asbestos fiber release to the environment. Contact: LIVINGSTON, THOMAS

# DES Draft Strategic Goals and Objectives (2003 - 2007)

## 4. Proper Waste Management & Effective Site Remediation Cont.

### 4.3 Develop and Implement a Natural Resources Damages Policy.

- 4.3.1** By March 2003, clarify authority of state to seek Natural Resource Damages (NRD) compensation at non-Superfund sites. Contact: BAXTER, CARL
- 4.3.2** By August 2003, develop (with ad hoc stakeholder participation) an NRD policy. Contact: BAXTER, CARL
- 4.3.3** By August 2003, prepare draft legislation to establish authority at non-Superfund sites, if needed. Contact: BAXTER, CARL
- 4.3.4** By August 2004, initiate NRD claims at Superfund and non-Superfund site, earlier, if non-Superfund legislation is not needed. Contact: BAXTER, CARL

### 4.4 Maintain a high level of preparedness and conduct effective emergency response to petroleum and hazardous material/waste releases to the environment.

- 4.4.1** By August 2003, develop an action plan to cross-train emergency responders in Special Investigations and Oil Initial Response. Contact: MARSCHNER, KENNETH
- 4.4.2** By September 2003, implement cross-training of DES oil and hazardous waste emergency responders and DES staff at the Pease Office. Contact: WOODARD, LYNN
- 4.4.3** By June 2003, update the Oil Spill Contingency Plan. Contact: BERRY, RICHARD

### 4.5 Maintain a high level of compliance assurance to minimize the likelihood of contaminant releases and to protect public health and the quality of New Hampshire's environment.

- 4.5.1** By January 2007, obtain compliance certification for all known motor vehicle salvage facilities. Contact: SPRAGUE, PAMELA
- 4.5.2** By January 2007, inspect all 216 operating permitted solid waste facilities. Contact: ROUSSEAU, DAVID
- 4.5.3** By January 2005, develop and implement a sector-based analysis of the hazardous waste non-notifiers evading regulation. Contact: WOODBURY, CARL
- 4.5.4 \*** By January 2004, 90% of hazardous waste coordinators at full quantity generator facilities (FQGs) will have completed an initial training for hazardous waste management certification. Contact: DUCLOS, JOHN
- 4.5.5 \*** By January 2007, 80% of the hazardous waste small quantity generators (SQGs) will have completed a "self-certification" process demonstrating their hazardous waste compliance status. Contact: DUCLOS, JOHN
- 4.5.6** By January 2005, the WMD shall establish a compliance assurance database to streamline inspection reports and to analyze compliance data. Contact: DUCLOS, JOHN
- 4.5.7 \*** By January 2006, the WMD shall conduct compliance audits at 10% of the full quantity generator facilities (FQGs). Contact: LEEDBERG, TOD
- 4.5.8 \*** By January 2006, the WMD shall annually inspect 20% of the full quantity generator facilities (FQGs). Contact: ABRAMS, ERIC
- 4.5.9 \*** By January 2007, the WMD shall annually inspect 25% of the hazardous waste generators located in wellhead protection areas. Contact: LEEDBERG, TOD
- 4.5.10** By January 2006, 90% of the industrial wastewater discharges to Publicly Owned Treatment Works (POTW) will be reviewed for compliance with hazardous waste limit permits. Contact: BONNER, WENDY
- 4.5.11** By January 2005, ensure that 95% of solid waste facilities are staffed by an appropriate level certified operator. Contact: WAY, CHRISTOPHER
- 4.5.12** Conduct inspections of all Underground Storage Tank (UST) facilities once every three years. Contact: WOODARD, LYNN
- 4.5.13** Conduct 50 inspections per year of Aboveground Storage Tank (AST) facilities. Contact: WOODARD, LYNN

# DES Draft Strategic Goals and Objectives (2003 - 2007)

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## 5. Protection of Natural Habitat

The sustainable development of New Hampshire's lands and natural resources is promoted throughout the state while protecting the diverse wildlife habitat, and unique features that make New Hampshire an attractive place to live, work, and visit.

- 5.1** Manage programs engaged in land-use regulation in a manner that enables and encourages appropriate development, supports a healthy economy, and ensures that long-term, cumulative environmental impacts are better understood and addressed.
  - 5.1.1** By December 31, 2003, permit applications in the wetlands, site specific, and subsurface program will be reviewed and either approved or returned to the applicant with comments within 60 days of receipt, except those with significant federal involvement. Contact: PELLETIER, RENE
  - 5.1.2** By January 2004, all initial compliance actions should occur within 60 days of knowledge of possible significant violations. Contact: TILTON, MARY ANN
  - 5.1.3** Adopt wetlands permit-by-notification rules by March 2003. Contact: ADAMS, COLLIS
  - 5.1.4** Adopt wetlands compensatory mitigation rules by July 2003. Contact: ADAMS, COLLIS
  - 5.1.5** Adopt site specific rule improvements by July 2004. Contact: MAUCK, ADDISON
  - 5.1.6** By January 2004, fully implement a strategy to integrate application reviews, compliance actions, and outreach for the Land Resources Management Program. Contact: PELLETIER, RENE
  - 5.1.7 \*** By July 2004, obtain legislative approval for fee increase to provide long-term financial stability of the land resources management program staff at levels that support timely and complete permit application reviews and compliance activities. Contact: STEWART, HARRY
  - 5.1.8** By January 2006, fully implement electronic submission of all land resources management permit applications for subsurface system and subdivisions, site specific, and wetlands permits. Contact: EVANS, WILLIAM
  - 5.1.9** By January 2005, develop a program to increase infiltration of stormwater runoff at all permitted sites having soils suitable for infiltration. Contact: MAUCK, ADDISON
  - 5.1.10** By January 2005, modify existing database and GIS to facilitate the identification of watersheds that have had the most permitted impacts to wetlands and uplands, and, consequently for which activities such as wetlands creation and restoration are a priority. Contact: CRYSTALL, SANDRA
  - 5.1.11 \*** By January 2007, increase the relative awareness of land resources management programs by 30% above baseline by the implementation of outreach and training programs. Contact: SPRINGS, GARY
- 5.2** Encourage the application of "Smart Growth" practices, including minimum impact development practices, through regulatory and education and outreach efforts, to guide New Hampshire's growth in "environmentally-friendly" directions.
  - 5.2.1** Identify and implement two (2) policy changes or program initiatives each year to increase the understanding and application of smart growth practices in New Hampshire. Contact: RUSSELL, CAROLYN
  - 5.2.2** Collaborate with other organizations on two (2) projects per year to promote smart growth practices and better coordinate land use, transportation and environmental planning in New Hampshire. Contact: RUSSELL, CAROLYN
  - 5.2.3** Working with the Office of State Planning, UNH Complex Systems, the Regional Planning Commissions, and municipalities, identify appropriate "Smart Growth" measures by July 2004, and collect necessary initial baseline data for these measures by July 2006, to help track development and land use changes consistently state-wide. Contact: RUSSELL, CAROLYN

# DES Draft Strategic Goals and Objectives (2003 - 2007)

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## 5. Protection of Natural Habitat Cont.

- 5.3** Protect and restore terrestrial and aquatic habitat and biodiversity throughout the state, and minimize the adverse impacts of human activities on biological resources.
- 5.3.1** \* Create a habitat protection unit in the Commissioner's Office to coordinate across all media within the Department to assure that our programs are habitat sensitive, and that our lands are managed in a manner that protects or enhances habitat value. The unit will also coordinate with other agencies to assure that Department acquisition policies, associated with permitting and other Department functions, are compatible with those of established habitat protection organizations. Contact: KETTENRING, KENNETH
  - 5.3.2** Formalize the existence and functions of the habitat protection team by July 2003, and include members from outside organizations to assist DES with habitat issues. Contact: SOMMER, LORI
  - 5.3.3** Incorporate habitat and ecological considerations into pollution abatement and restoration strategies for all media (e.g. closed landfills, dam removals, gravel pit reclamation) by July 2005. Contact: KETTENRING, KENNETH
  - 5.3.4** By July 2005, review all Department rules to assure they appropriately address habitat issues in a sensitive manner, and by July 2007, appropriate rules changes have been completed. For example, habitat protection should be integrated into water quality standards, 401 certification, alteration of terrain rules, and subsurface rules. Contact: KETTENRING, KENNETH
  - 5.3.5** Work with partners to develop criteria for "habitat friendly" development by July 2003 and to write appropriate technical bulletins. Contact: RUSSELL, CAROLYN
  - 5.3.6** Develop a department policy for the handling of secondary and cumulative impacts by July 2004. Contact: KETTENRING, KENNETH
  - 5.3.7** \* Compile a priority list of potential areas to be protected for habitat and natural resource protection by July 2005, and update annually thereafter. Contact: KETTENRING, KENNETH
  - 5.3.8** \* By December 2004, develop and implement a plan for the ongoing stewardship of all lands that the Department owns or is involved in protecting. Contact: STEVENS, MARK
  - 5.3.9** Develop and implement a plan to educate DES employees and Councils on habitat issues by July 2003. Contact: GODLEWSKI, SHARON
  - 5.3.10** \* Work with other agencies such as NH Office of State Planning, Natural Heritage Inventory, and the NH Fish & Game, Non-game program to develop education materials and workshops on habitat issues for local decision makers (planning boards, selectmen, conservation commissions) by July 2004. Contact: KETTENRING, KENNETH
- 5.4** Facilitate the restoration of rivers through selective dam removal, and by establishing a base of knowledge within DES regarding river restoration, riverine systems, and the physical, chemical and biological effects of dams and dam removal.
- 5.4.1** By December 2007, restore 10 river segments to free-flowing conditions through the selective removal of dams. Contact: LINDLOFF, STEPHANIE
  - 5.4.2** By March 2003, assist in the establishment of a Corporate Wetlands Restoration Partnership program in New Hampshire. Contact: LINDLOFF, STEPHANIE
  - 5.4.3** By December 2007, monitor the effects of dam removals on three river systems through partnerships with academic institutions, other agencies and additional interests. Contact: LINDLOFF, STEPHANIE



# DES Draft Strategic Goals and Objectives (2003 - 2007)

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## 6. Dam Safety and Water Management

The state's surface and groundwater resources are managed and regulated for the protection, enhancement and restoration of environmental quality and public safety to support and balance social and ecological water needs.

- 6.1** Ensure that all dams in New Hampshire are constructed, maintained and operated in a safe and environmentally-protective manner.
  - 6.1.1** Inspect 28 Class C Dams, 43 Class B Dams, and 81 Class A Dams each year. Contact: LEVERGOOD, GRACE
  - 6.1.2** Inspect 100% of Class AA dams as requested or required. Contact: LEVERGOOD, GRACE
  - 6.1.3** On an annual basis, review all Emergency Action Plans (EAPs) to ensure that they are available and up-to-date for all Class B & C dams in the state. Contact: MCCARTHY, BETHANN
  - 6.1.4** On an annual basis, hold outreach/education events and issue publications to improve communication with the dam owners and the public. Contact: MCGRATH, NANCY
  - 6.1.5** By December 2005, incorporate environmental criteria into dam hazard classification. Contact: LINDLOFF, STEPHANIE
- 6.2** Improve the department's ability and statutory authority to manage and protect public and private water rights to better balance multiple economic, environmental, and societal values.
  - 6.2.1** \* By October 2005, adopt protected instream flows and water management plans for the Souhegan and Lamprey rivers. Contact: IVES, C. WAYNE
  - 6.2.2** By January 2005, establish reliable data on full pond elevations, flowage rights and natural mean high water marks (where relevant) on all impoundments over 10 acres. Contact: STEVENS, MARK
  - 6.2.3** By January 2005, develop a dam management policy for state owned dams, which incorporates instream and downstream flow needs, and stakeholder, aquatic and resource needs into the operational procedures of the dams. Contact: GALLAGHER, JR., JAMES
  - 6.2.4** By January 2005, revise the state's Drought Management Plan. Contact: GALLAGHER, JR., JAMES
  - 6.2.5** By January 2004, coordinate the addition of the monitoring well database to the DES OneStop system to facilitate data retrieval on a watershed, hydrologic unit or other boundary basis. Contact: CHORMANN, FREDERICK
  - 6.2.6** By January 2003, expand the statewide groundwater level monitoring network to include a greater density of measurement sites in representative hydrogeologic settings and greater measurement frequency through selective use of data loggers. Contact: WUNSCH, DAVID
  - 6.2.7** By January 2004, fully support the development and adoption of a high-resolution (1:24,000 scale) digital hydrographic network dataset (NHD) as the standard basis for linking and referencing attribute data on surface water features. Contact: WUNSCH, DAVID

# DES Draft Strategic Goals and Objectives (2003 - 2007)

## 7. Effective Management and Leadership

DES sets and achieves the highest standards for effective internal management, fiscal responsibility, and leadership on environmental issues.

### 7.1 Promote effective management, effective internal communication, and continuous improvement.

- 7.1.1 By January 2005, the management structure and the roles and responsibilities of supervisors have been defined and are routinely articulated. Contact: O'BRIEN, PHILIP
- 7.1.2 By October 2004, a plan has been developed and implemented to train all supervisory staff in the following skills: listening and communicating, motivating staff, entrepreneurship, and evaluating staff and program success. Contact: DECINTO, FRANCES
- 7.1.3 By July 2005, evaluate, forecast, and adjust as needed all existing and potential revenue sources to establish a sustainable budget that reflects strategic planning goals. Contact: STEWART, HARRY
- 7.1.4 By January 2006, develop and implement a plan to increase internal knowledge of DES's mission, programs, initiatives, and staff and to empower staff through increased understanding of how individual efforts contribute and relate to other programs and achieving Agency goals. Contact: UNDERHILL, JEFFREY

### 7.2 Keep DES as an employer of choice.

- 7.2.1 By August 2003, incorporate and expand upon existing policies to develop and communicate a formal code of professionalism and ethics. Contact: DECINTO, FRANCES
- 7.2.2 By December 2003, develop and implement a feedback program that periodically surveys staff on job satisfaction. Contact: PILLSBURY, SARAH
- 7.2.3 \* By July 2005, develop and implement an agency-wide comprehensive training program with specific annual goals to educate and motivate staff. Contact: DECINTO, FRANCES
- 7.2.4 By December 2003, develop and implement an improved performance evaluation process that includes more frequent evaluations, tying performance evaluation to goal attainment, recognition of excellence, solicitation of feedback on how to improve work processes, and upward and downward evaluation. Contact: DECINTO, FRANCES
- 7.2.5 By May 2003, finalize and implement an alternative work schedule policy. Contact: DECINTO, FRANCES

### 7.3 DES practices effective, proactive, and innovative leadership approaches.

- 7.3.1 By December 2003, create and implement a system to identify, acknowledge, and track money saving and/or innovative approaches to environmental and administrative challenges. Contact: MINICUCCI, II, ROBERT
- 7.3.2 By February 2004, develop and implement a process to routinely identify and evaluate emerging environmental issues. Contact: O'BRIEN, PHILIP
- 7.3.3 By October 2003, evaluate DES participation in the legislative process and identify and implement improvements to better our ability to communicate with and assist the legislature. Contact: STEWART, HARRY
- 7.3.4 By July 2006, develop and fully implement a plan to identify and develop leaders within the agency. Contact: PILLSBURY, SARAH

### 7.4 Improve measurement of environmental conditions and trends and of program performance.

- 7.4.1 \* By July 2003 complete implementation of quarterly Measures Tracking and Reporting System (MTRS) reviews by the Senior Leadership and Leadership Teams. Contact: KETTENRING, KENNETH
- 7.4.2 By July 2003 develop and implement an annual process to review progress made against DES Strategic Planning Objectives. Contact: PERELLI, VINCENT
- 7.4.3 By July 2005 implement biennial re-evaluation of the DES Strategic Plan and coordinate effort with the Performance Partnership Agreement (PPA), Performance Partnership Grant (PPG), and state budget development processes. Contact: PERELLI, VINCENT
- 7.4.4 By January 2005, complete the enhancements to and fully implement the system to evaluate programs on an ongoing basis to measure if they are achieving applicable agency goals and objectives and making continuous improvement. Contact: PERELLI, VINCENT
- 7.4.5 By January 2004, complete efforts to identify key outcome measures and environmental indicators. Contact: PERELLI, VINCENT

# DES Draft Strategic Goals and Objectives (2003 - 2007)

## 8. Pollution Prevention

Encourage best efforts to prevent pollution before turning to recycling, treatment and/or disposal of the materials causing pollution. Eliminate or reduce the toxicity and absolute volumes of waste materials. Eliminate accidental pollutant releases to the environment. Conserve materials, energy, and water in order to move toward a sustainable society.

- 8.1** Integrate P2 concepts into all aspects of regulatory programs, including permitting, technical assistance, inspections and the enforcement process, in order to maximize environmental benefits and reduce permitting and regulatory requirements, where possible.
  - 8.1.1** By July 2003, design and implement a communication mechanism for ongoing coordination between pollution prevention (P2), permitting, and compliance assurance staff. Contact: D'AGOSTINO, STEPHANIE
  - 8.1.2** \* In 2004 and 2006, provide P2 orientation training to all staff that have not received training, and by January 2004, design and deliver advanced P2 training for regulatory and other appropriate staff. Contact: JOHNSON, SARA
  - 8.1.3** \* By March 2005, and annually thereafter, permitting and compliance assurance programs, with assistance from P2 staff, will review and identify areas where P2 can be further incorporated, identify barriers to P2, and make specific recommendations to be incorporated into the next year's work plan. Contact: D'AGOSTINO, STEPHANIE
- 8.2** Identify and pursue actions such as toxics use reduction, solid waste reduction, solid and hazardous waste recycling, environmentally-preferable purchasing, and energy and water conservation) that minimize DES's environmental impact.
  - 8.2.1** By January 2004, develop and implement a policy for incorporating environmental and sustainability considerations into each employee's responsibilities. Contact: D'AGOSTINO, STEPHANIE
  - 8.2.2** \* By July 2005, establish ISO 14001-compliant environmental management systems (EMSs) at two DES units. Contact: MINICUCCI, II, ROBERT
  - 8.2.3** \* By July 2007, initiate and help secure the necessary dedicated staff resources and authority to create and implement a plan (i.e., a "Clean State/Sustainability Initiative") to encourage all state agencies to follow best management practices (BMPs) for reuse, recycling, water and energy conservation, green building design, alternative fleet development, and environmentally-preferable purchasing (EPP). Such an initiative would include establishing baseline measures and goals for agency toxics use, solid and hazardous waste, air emissions (including mobile), energy consumption, and water conservation. An essential component of the Clean State/Sustainability Initiative is the development of EPP practices that would be utilized by all state agencies. Contact: PERELLI, VINCENT
- 8.3** In partnership with other assistance providers (internal and external) and stakeholders, promote the benefits of P2 and Environmental Management Systems (EMSs), including going "beyond compliance" and moving toward sustainability.
  - 8.3.1** \* By March 2005, design and integrate a P2 component into DES programs (e.g., the Household Hazardous Waste Program [HHW]) that is targeted on environmental issues for the general public/homeowner (i.e., product substitution, don't purchase it, reuse, use less, etc.). Contact: LOCKWOOD, PAUL
  - 8.3.2** By July 2005, evaluate a mandatory P2 or Toxics Use Reduction Program in New Hampshire. Contact: D'AGOSTINO, STEPHANIE
  - 8.3.3** \* By July 2005, develop and implement a program to encourage all organizations to move toward sustainability and fully institutionalize an environmental ethic through the use of formal environmental management systems (EMSs). Contact: MINICUCCI, II, ROBERT

# DES Draft Strategic Goals and Objectives (2003 - 2007)

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## 8. Pollution Prevention      Cont.

- 8.4** Promote a safe and healthy environment for New Hampshire's most at-risk and sensitive populations (i.e., children, the elderly, and those with special health concerns).
- 8.4.1** \* By July 2005, work together and coordinate with NH Department of Health and Human Services (DHHS) and local health agencies in strategic planning for another 5 future activities that address environmental health issues affecting public health in NH.    Contact: RUMBA, RICHARD
  - 8.4.2** By January 2005, establish and implement a voluntary program to eliminate unnecessary idling of at least 75% of all diesel-powered public school buses in NH.    Contact: RUMBA, RICHARD
  - 8.4.3** \* By January 2006, eliminate the use of chromium copper arsenate (CCA) lumber for the construction of all new public playground equipment.    Contact: RUMBA, RICHARD
  - 8.4.4** \* By January 2005, 10% of all New Hampshire school districts will have adopted a toxic chemical management system.    Contact: JOHNSON, SARA
  - 8.4.5** \* By July 2003, create adequate capacity within DES (a DES Public Health Liaison position) to coordinate activities between DES and state (DHHS) and local public health agencies on issues involving environmental health, particularly on children's health issues.    Contact: RUMBA, RICHARD
  - 8.4.6** By July 2004, create new public health liaison committees with two NH municipalities to better communicate, coordinate, and solve environmental health problems at the local level.    Contact: RUMBA, RICHARD

# DES Draft Strategic Goals and Objectives (2003 - 2007)

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## 9. Public Education, Outreach and Partnerships

DES provides effective public education, outreach, and partnership activities.

**9.1** Create and disseminate DES informational and educational outreach materials to stakeholders, the business community, and the general public.

**9.1.1** By June 2003, develop a DES speakers bureau and update it semi-annually. Contact: DREW, TIMOTHY

**9.1.2** \* Starting in 2004, and at least biennially, conduct a DES Environmental Forum to bring together the regulated community, municipal officials, environmental organizations, legislators, news media representatives, and other DES stakeholders to exchange information on environmental topics. Contact: DREW, TIMOTHY

**9.1.3** \* By January 2005, evaluate public awareness of environmental requirements and make recommendations to increase awareness. Contact: DIR PUBLIC PART

**9.1.4** \* Annually, produce a comprehensive report presenting environmental issues and trends, and major DES accomplishments and initiatives. Contact: PERELLI, VINCENT

**9.2** Convey DES's mission, goals, programs, projects, events, accomplishments and environmental messages to the public via various media, including newspapers, radio, television, and the internet.

**9.2.1** Initiate media contacts, respond to media inquiries, and create and issue press releases and other publications to the media, all in a timely and appropriate manner. Contact: DIR PUBLIC PART

**9.2.2** \* Annually, create and distribute two public service announcements, and create and conduct follow-up surveys to evaluate their effectiveness. Contact: DIR PUBLIC PART

**9.2.3** Continuously expand and improve the content presented on the DES web site, with a formal content review to be conducted annually. Contact: PERELLI, VINCENT

**9.3** Promote environmental education in New Hampshire.

**9.3.1** \* By August 2003, develop and implement a program to evaluate and coordinate student and teacher environmental education for DES. Contact: DIR PUBLIC PART

**9.3.2** Conduct student educational outreach by responding to presentation requests and by actively engaging schools so that each year at least 1,200 kindergarten through college students are reached. Contact: CLEGG, NICOLE

**9.3.3** Conduct environmentally-themed professional development workshops for at least 100 NH educators annually. Contact: CLEGG, NICOLE

**9.3.4** By May 2004, develop a resource for teachers (e.g., booklet, webpage) identifying environmental education resources and providers throughout the state. Contact: DIR PUBLIC PART

# DES Draft Strategic Goals and Objectives (2003 - 2007)

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## 10. Compliance Assurance

In order to foster full compliance with the laws it administers, DES provides education and outreach to the public, provides assistance to the regulated community, monitors compliance on an on-going basis, and maintains a fair and effective enforcement process.

### 10.1 Integrate pollution prevention/ "beyond compliance," permitting, and compliance assurance.

- 10.1.1** By January 2004, design and implement a mechanism (e.g., regular mtgs., database, roundtable, fact sheets, etc) for on-going communication and coordination between P2/"beyond compliance," permitting, and compliance assurance staff (both within and between programs). Contact: D'AGOSTINO, STEPHANIE
- 10.1.2 \*** By July 2004, develop a schedule to present cross-program awareness training to all DES staff, including P2, assistance, permitting, and compliance assurance; implement schedule. Contact: RULE, GRETCHEN
- 10.1.3** By January 2004, design and implement a mechanism (e.g., regular mtgs., database, roundtable, public outreach, fact sheets, etc) for on-going communication and coordination between DES and local governments, regional organizations such as planning commissions, other state agencies, and federal agencies. Contact: DREW, TIMOTHY

### 10.2 Write all requirements clearly and interpret them consistently.

- 10.2.1** By July 2004, develop and implement a process to make, document, and communicate statute, rule, and permit interpretations within and between programs and to periodically review interpretations and the rules for needed changes. Contact: RULE, GRETCHEN
- 10.2.2** By December 2004, develop and implement a broader internal peer review process for proposed rules and rule amendments, and proposed and renewed permits. Contact: WEISS ALEXANT, SUSAN
- 10.2.3** By July 2003, articulate the mission and purpose of all DES programs to assist DES staff, the public, the regulated community, and interested organizations to better understand the basis for DES activities, and establish a protocol for publicizing them in DES activities. Contact: HARBAUGH, MARK

### 10.3 Ensure that compliance monitoring and enforcement activities are consistent, appropriate, and timely.

- 10.3.1** By July 2003, develop a new internal database to share confidential compliance assurance information such as draft enforcement actions and tracking, targeted inspections, and permit tracking. Contact: RULE, GRETCHEN
- 10.3.2** By January 2005, identify programs that would benefit from a program-specific Compliance Assurance Response Policy (CARP), and establish and implement a schedule to develop them. Contact: RULE, GRETCHEN
- 10.3.3** By January 2006, review and make recommendations for improving compliance monitoring, including ways to make the process more proactive. Contact: HARBAUGH, MARK
- 10.3.4** By January 2012, establish a system to measure and record rates of compliance, with an ability to identify trends and reasons for non-compliance, and to measure the effects of actions taken to address causes of non-compliance. Contact: RULE, GRETCHEN
- 10.3.5 \*** By July 2007, evaluate all permitting programs for effectiveness, efficiency, and level of effort to address reducing the need for a permit, and make recommendations to improve the programs to maximize effectiveness, efficiency, and environmental benefit while minimizing environmental impact. Contact: DREW, TIMOTHY

# DES Draft Strategic Goals and Objectives (2003 - 2007)

## 11. Information Management

Information is collected, managed, analyzed, and disseminated effectively and efficiently to support well informed, timely and cost-effective environmental decision-making.

**11.1** Utilize innovations in information technology to support and streamline programs in achieving DES goals and objectives.

- 11.1.1** Demonstrate annual Increases in management and staff understanding and use of Geographic Information System (GIS) tools, using October 2002 as the baseline. Contact: HASTINGS, JR., WILLIAM
- 11.1.2** Personal digital assistants in use by at least one program for remote, real-time data entry by July 2003. Contact: CATANESE, FRANK
- 11.1.3** Ensure that all desktop and notebook computers in use by DES staff have processors greater than 450mHz by July 2003. Contact: MORRISON, ELISA

**11.2** Develop and implement the information management and delivery systems necessary to support improved analysis of environmental information by the department and the public.

- 11.2.1** Implement a new Laboratory Information Management System (LIMS) and provide DES program access to laboratory data in the new system by January 2004. Contact: BICKFORD, PATRICIA
- 11.2.2** Develop and implement an enforcement tracking database that incorporates case management by September 2003. Contact: RULE, GRETCHEN
- 11.2.3** Complete a program-by-program assessment of the information needs, and a critical analysis of the value of the existing information being collected, for all regulatory programs by January 2006. Contact: SIMMERS, CHRIS
- 11.2.4** Develop department-wide data standards for laboratory data by January 2004. Contact: CULLEROT, LAURIE

**11.3** Increase access to and ease of use of environmental information while utilizing appropriate security measures and adhering to statewide privacy policies.

- 11.3.1** Expand the core data elements of the OneStop master table to include at least industrial classification codes, geographic location codes, and/or political district information by January 2004. Contact: BURLEIGH, JR., DANIEL
- 11.3.2** Continue to expand the data layers available through the OneStop Web GIS -- By July 2003, include the Watershed Management Bureau's water quality-related GIS data layers, and by January 2005, include the Surficial Geology GIS data. Contact: HASTINGS, JR., WILLIAM
- 11.3.3** Expand real-time, online public access to the department's regulatory decisions by July 2003. Contact: GENTLEY, M. SCOTT
- 11.3.4** Import at least 4 water quality data sets into EPA's national STORET database by January 2006. Contact: SOULE, DEBORAH
- 11.3.5** Establish and assign OneStop master ID's for all water sources of interest to the various DES programs, by January 2007. Contact: CULLEROT, LAURIE
- 11.3.6** Provide real-time public access to ozone monitoring data by May 2003. Contact: HASTINGS, JR., WILLIAM

**11.4** Expand e-government.

- 11.4.1** Develop and implement the policies, procedures and technology to accept and execute digital signatures by July 2003. Contact: BURLEIGH, JR., DANIEL
- 11.4.2** Implement electronic permitting capability (e-permitting) for at least one DES program by January 2004. Contact: CATANESE, FRANK
- 11.4.3** Develop and implement the policies, procedures and technology to accept electronic payments by January 2004. Contact: PIKE, HEATHER
- 11.4.4** By January 2006, at least three private laboratories will have accomplished regular electronic transfer of laboratory data to DES. Contact: CULLEROT, LAURIE
- 11.4.5** January 2006, implement electronic flow of Reporting & Information Management Section data, including manifests and quarterly activity reports, between generators, DES and EPA. Contact: GORDON, III, RAYMOND
- 11.4.6** On an ongoing basis, encourage electronic submittals for all technical documents submitted to Remediation Programs for review. Contact: LOMBARDO, GEORGE
- 11.4.7** Convert Remediation Program files from paper to electronic by January 2008. Contact: LOMBARDO, GEORGE

# DES Draft Strategic Goals and Objectives (2003 - 2007)

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## 11. Information Management      Cont.

**11.5** The environmental data DES relies upon to make decisions is of known quality, and the quality and quantity of that data is appropriate for its uses.

**11.5.1** By July 2003, develop and implement a quality assurance tracking system to monitor agency-wide implementation of the Quality Assurance System and the status of pending and approved Quality Assurance Project and Program Plans (QAPPs). Contact: PERELLI, VINCENT

**11.5.2** By January 2003, 60% of DES programs will be participating in the DES QA System, and by January 2004, 100% of DES programs will be participating in the DES QA System. Contact: PERELLI, VINCENT



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**Performance Partnership Agreement  
for Federal Fiscal Years 2003 - 2004**

***Section VI***

***DES Comprehensive Action and  
Assessment Work Plan (FFY 2003)***

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## **VI. DES Comprehensive Action and Assessment Workplan (FFY 2003)**

### **A. Introduction**

Taken together, the detailed tables to follow form the Department's in-depth workplan – the *DES Comprehensive Action and Assessment Workplan (FFY 2003)* -- and present, in great detail, how the various available financial, human, and technical resources will be used in New Hampshire during the period October 1, 2002 through September 30, 2003 to address the environmental quality issues of the greatest concern to the Department and EPA New England. While the overarching Performance Partnership Agreement (in particular, the list of DES/EPA New England Program Priorities presented in Section III) covers the full two-year period from October 1, 2002 through September 30, 2004, and falls within the strategic framework established by *DES Strategic Goals and Objectives (2003-2007)*, the *DES Comprehensive Action and Assessment Workplan (FFY 2003)* is developed and evaluated on an annual basis. Similarly, budgeting of Performance Partnership Grant funds and other federal source funds is also conducted on an annual basis.

The title *DES Comprehensive Action and Assessment Workplan* represents the emphasis on the work (action) DES will accomplish over fiscal year 2003, as well as the Department's commitment to on-going evaluation (assessment) of this work. For the latter purpose, DES will continue to rely upon the Measures Tracking and Reporting System database (and associated reporting management system – refer to Section I), in conjunction with semi-annual updates on Program Priorities, an annual Performance Partnership Agreement Self-Assessment, and an Annual State of the Environment Report, to report progress in the areas of program performance and environmental conditions and trends to EPA New England, the legislature, the public, and other interested parties.

It is through the detailed, day-to-day work presented in this section that DES will carry out its mission and meet its six primary environmental goals (i.e., Goal 1- *Clean Air*; Goal 2-*Clean Water*; Goal 3-*Safe Drinking Water*; Goal 4-*Proper Waste Management and Effective Site Remediation*; Goal 5- *Protection of Lands and Habitat*; and Goal 6-*Safe Dams and Water Management*) and its five cross-cutting/department-wide goals (i.e., Goal 7-*Effective Management and Leadership*; Goal 8 - *Pollution Prevention and Sustainability*; Goal 9-*Public Education and Outreach*; Goal 10-*Compliance Assurance*; and Goal 11-*Information Management*. Refer to Section I for an overview of DES's strategic planning efforts and Section V for a complete view of *DES Strategic Goals and Objectives (2003-2007)*.

### **B. Content and Format**

The many DES program tables included in the following section were generated directly through the Department's MTRS database. To manage a great deal of information in a readable and consistent format, the tabular format has been created to describe the elements of each program. Each table identifies the Department's major programs. As much as possible, the table headings represent a breakdown of the different functional activities (permitting, outreach, inspections, etc.) and not just a listing of organizational units, although in a number of cases the organizational units coincide well with the functions. For consistency, each table includes the following information:

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**Report “Run” Date and Agreement Year:** To ensure that only the most up-to-date report version is used.

**Division/Bureau Designations:** The Division and Bureau are clearly identified in the table headers to accurately place and associated related program, activity and deliverable information within the Department’s organizational structure:

**Funding:** The source or sources of program funding are indicated by selecting the appropriate “check boxes” – State General, State Fees, Federal EPA, Federal Other, Grants. Ultimately, better direct linkage between programs/activities/deliverables and actual dollars is envisioned.

**Programs:** General organizational unit or broad functional responsibility -- organizes a logical grouping of Activities. *Examples:* Drinking Water Source Protection Program; Air Toxics Management Program; Hazardous Waste Compliance Program; and Wetlands Program).

**Activities:** The core functions or projects of a program – organizes a logical grouping of Deliverables. *Examples:* Drinking Water Source and Groundwater Protection; NPDES Inspections; Rulemaking; and Public Education and Outreach).

**Deliverables:** Specific, quantifiable work products or task to be delivered during a particular reporting period – the most detailed, specific unit in the MTRS database. Most deliverables are established for a set time period (typically one year), with progress evaluated on a quarterly basis, through an MTRS database reporting feature. *Examples:* Complete 1000 source water assessments; Conduct 50 hazardous waste generator inspections; Maintain Air Quality Information Line and website with ozone forecast; and Monitor 25 remote ponds for acid rain parameters).

**Program/Activity/Deliverable Short And Long Titles:** The short and long titles have been included in this Agreement to allow audience to better understand the purpose and the intent of the various work commitments.

**Activity/Deliverable Start and End Dates:** Start and End dates must be included in the database to identify current operational activities and deliverables and to help determine with which Performance Partnership Agreement the work is associated. Also, the Deliverable start and end dates are essential to the Department’s quarterly tracking and reporting system.

**Lead Person:** The identification and association of specific staff with every Activity and Deliverable has allowed for more accountability at DES than ever before and is essential to an effectively operating management system.

**Outputs:** Specific, verifiable, and measurable targets for each program deliverables. Each output must have a corresponding deliverable, and each deliverable must have a corresponding output in a one-to-one relationship. *Examples:* Number of source water assessments performed; Number of compliance letters issued to hazardous waste generators; Number of inspections conducted; and Number of pre-application meetings requested and held regarding specific projects).

**Outcomes:** Specific, verifiable and measurable results of environmental program activities that represent a change in the behavior of businesses, governmental agencies or the general public, as a

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result of certain program activities and deliverables. *Examples:* Percentage of total drinking water sources that have implemented Source Water Protection Programs; Amount of used oil collected by participating communities; MtBE groundwater contamination reduced; and % of wastewater treatment facilities that are in significant non-compliance or on the exceptions list).

**Environmental Indicators:** Specific, verifiable and measurable trends documenting environmental and/or public health conditions. *Examples:* Ambient sulfur dioxide or ground-level ozone levels; Number of acres of estuarine waters open for recreational shellfish harvesting, Number of new water bodies with exotic plant infestations; Number of river segments restored; and Number of public bathing beaches with postings/closures.

Through the use of the MTRS's streamlined reporting features, the *DES Comprehensive Action and Assessment Plan (FFY 2003)* can be conveniently compiled in less than one minute and be instantly converted directly into electronic format. An electronic version of the Agreement is located on DES's website in .pdf format, and can be accessed by clicking on the following DES website address: <http://www.des.state.nh.us>, click on "Performance Partnership" on the DES home page. To locate a specific program, activity, deliverable, or contact person, simply use the DES website's main search engine function or the "find" feature of the Adobe Acrobat Reader software.